

In: KSC-BC-2023-10

**The Specialist Prosecutor v. Sabit Januzi, Ismet Bahtijari and
Haxhi Shala**

Before: Pre-Trial Judge,
Judge Marjorie Masselot

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Counsel for Sabit Januzi

Date: 01 September 2024

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Januzi Pre-Trial Brief

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I. INTRODUCTION

1. Rule 95(5) of the Rules¹ provides that the Pre-Trial Judge shall invite the Defence to file a Pre-Trial Brief indicating:

(a) in general terms, the nature of the Accused's defence;

(b) the charges and matters which the Accused disputes, by reference to particular paragraphs in the Specialist Prosecutor's Pre-Trial Brief, and the reasons why the Accused disputes them; and

(c) a list of potential witnesses the Defence intends to call, without prejudice to any subsequent amendment or filing thereof. In relation to each witness, the Defence shall specify to which particular relevant issue the evidence relates.

In addition, the Defence shall notify the Specialist Prosecutor of its intent to offer a defence of alibi or any other grounds excluding criminal responsibility, including that of diminished or lack of mental capacity, intoxication, necessity, duress, and mistake of fact or law.

2. Pursuant to Rule 95(5), the Defence indicates as follows.

II. GENERAL NATURE OF THE ACCUSED'S DEFENCE

¹ KSC-BD-03-rev2

3. The Accused is charged on three counts, relating to four charges²:

- (i) Count 1 – Obstructing Official Persons in Performing Official Duties by serious threat
- (ii) Count 2 – Obstructing Official Persons in Performing Official Duties by participating in the common action of a group
- (iii) Count 3 (bifurcated) - Intimidation during Criminal Proceedings:
 - (a) Alternative limb 1 – by serious threat; or
 - (b) Alternative limb 2 – by way of promise of a gift or benefit

4. The Accused denies individual criminal responsibility as alleged on each count.

5. The Accused did not obstruct any official person in performing official duties.

6. The Accused did not make any threat, serious or otherwise.

² Count 3 is 'bifurcated' and relates to two clearly distinguished, "alternative acts of conduct" – see KSC-BC-2023-10/F00451, *Decision on Request for Reconsideration of F00444*, Pre-Trial Judge, 27 August 2024, Public at paragraph 15 footnote 14. See also KSC-BC-2023-10/F00452, *Decision on Application for Severance*, Pre-Trial Judge, 27 August 2024, Public at paragraph 42 and KSC-BC-2023-10/F00433, *Decision on Preliminary Motions and Related Requests*, Pre-Trial Judge, 12 August 2024, Confidential at paragraphs 44

7. The Accused did not participate in the common action of a group to obstruct any official person in performing official duties.

8. The Accused denies any alleged intimidation during criminal proceedings. The Accused did not use force or serious threat, or any other means of compulsion, a promise of a gift or any other form of benefit to induce another person to refrain from making a statement or to make a false statement or to otherwise fail to state true information to the police, a prosecutor or a judge.

9. The Accused denies committing, alone and/or in co-perpetration, the crimes of obstructing official persons in performing official duties, and intimidation during criminal proceedings.

10. The Accused denies attempting to commit the crimes of obstructing official persons in performing official duties, and intimidation during criminal proceedings.

11. The Accused denies agreeing to commit the crimes of obstructing official persons in performing official duties, and intimidation during criminal proceedings, and taking substantial acts towards the commission of any such crimes.

12. The Accused denies inciting and assisting in the commission of crimes of obstructing official persons in performing official duties, and intimidation during criminal proceedings.

13. The Accused denies inciting the commission of the crimes of

obstructing official persons in performing official duties, and intimidation during criminal proceedings, and such crimes were not attempted.

14. The Accused denies inciting the commission of the crimes of obstructing official persons in performing official duties, and intimidation during criminal proceedings, and such crimes were neither committed, nor attempted.

III. STATEMENT OF FACTS

4. By reference to the paragraph numbers in the Prosecution Pre-Trial Brief³:

Paragraph 1

5. The Accused did not try to prevent Witness 1 from testifying whether alone, or in coordination with others.

Paragraph 2

6. Although the Accused met with Witness 1 on 12 April, he did so at Witness 1's invitation.

³ KSC-BC-2023-10/F00177/A01, *Annex 1 to Submission of Prosecution Pre-Trial Brief, Witness and Exhibit Lists and Rule 109(c) Chart*, Prosecutor, 16 February 2024, Confidential

Paragraph 3

7. The Accused had heard that Witness 1 had been telling people himself that he was to be a witness at the Hague and that he wanted money to withdraw his statement. The Accused had heard that Witness 1 was telling people that he wanted money and if it wasn't paid, then 'they could go fuck themselves' and that he would 'destroy' them. The Accused had heard this some months before April 2023.
8. The Accused had not heard who, or what, Witness 1 was allegedly to testify about.
9. The Accused was not present when Bahtijari spoke with Witness 1 on 5 April and does not know what was said between them.
10. The Accused understands that Bahtijari denies making any threat to Witness 1 on 5 April. In support thereof, and as detailed below, the Accused asserts that Witness 1 has a propensity to lie and is not a credible or reliable witness⁴.

⁴ Indeed, both ██████████ have challenged the credibility of Witness 1 in relation to his assertion that he first ██████████, about the recordings of 5 and 12 April, long before the Accused was charged (and long before the ██████████ officially claims to have been aware of the recordings) – the ██████████ have denied the same and suggested that Witness 1 was referring to ██████████ the ██████████ has provided a declaration from the relevant ██████████ who attests that Witness 1 never mentioned such recordings to him: see KSC-BC-2023-10/F00298, *Application for a Witness Summons by Januzi*, Januzi, 21 May 2024, Strictly Confidential; KSC-BC-2023-10/F00315, *Prosecution Response to F00298*, Prosecutor, 31 May 2024, Confidential; and KSC-BC-2023-10/F00335, *Registrar's Submissions Regarding Januzi's Application for a Witness Summons (F00298) with confidential Annex 1 and strictly confidential and ex parte Annex 2*, Registrar, 13 June 2024, Confidential.

11. Certainly, the Accused had no prior knowledge of, nor agreed to, the making of any threat towards Witness 1 on 5 April (or on any other date).

12. In relation to 12 April, the Accused did not convey an offer to help Witness 1 at the request of, or on behalf of, any other person. The Accused attended the address of Witness 1 upon the invitation of Witness 1. The Accused did so for the reasons set out below.

13. The authenticity and integrity of the "12 April" recording ERN 116623-01 is not accepted, as set out below.

14. The Accused did not intimidate Witness 1 himself.

15. The Accused did not agree with anyone else that Witness 1 was to be intimidated by another.

16. The Accused did not threaten Witness 1, seriously or at all.

17. The Accused did not agree with anyone else that Witness 1 was to be threatened, seriously or at all.

The Accused will seek agreed facts to be placed in evidence in relation to the same, or otherwise seek to call evidence if agreement cannot be reached.

18. The Accused did not offer him “generous benefits for compliance”.

19. It is observed that the Prosecution does not allege in Paragraph 3 that the Accused promised Witness 1 any benefit.

Paragraph 4

20. The Accused did not attempt to obstruct the conduct of proceedings before the KSC, or prosecutors, judges and other official persons at the SPO and KSC from performing official duties.

Paragraph 5

21. It is not accepted that the Accused acted unlawfully in any manner.

Paragraph 6

22. It is not accepted that the evidence establishes beyond reasonable doubt that the Accused is guilty of counts 1, 2 or 3.

23. Additionally, it is observed that the Accused cannot in law be found guilty of both counts 1 and 2 (the offence contrary to Article 401(2) of the KCC being subsidiary to Article 401(1) of the KCC)⁵.

24. Further, it is observed that Count 3 is bifurcated and has two clearly distinguished and alternative actus rei: (i) using serious threat and (ii) promising a gift or benefit⁶. The Accused can be found guilty of the bifurcated count 3 on one or other limb, but cannot be found guilty of count 3 on both.

Paragraph 7

25. The Accused never received any direct instructions from Shala during the war. The chain of command did not really exist.

26. As far as the Accused is aware, Bahtijari was not a member of the 121 Brigade of the KLA.

27. The Accused and Bahtijari were not colleagues in the war.

28. The Accused has become friendly with Shala in the years since the war and has had frequent contact with him, often in relation to building materials that the Accused would supply.

⁵ KSC-BC-2020-07, *Appeal Judgment*, Court of Appeals Panel, 2 February 2023 at paragraph 309

⁶ See references at footnote 2 above

29. The Accused does not provide political support for Shala. Shala did approach the Accused for his vote when Shala first sought election to the Kosovo Parliament, but the Accused did not campaign for Shala as Shala had left the PDK and formed a new party called Nisma.

30. The Accused has also known Witness 1 for many years. The Accused is a former KLA colleague of Witness 1 and although they are not friends (Witness 1 is generally disliked in the area), the Accused has always been respectful towards Witness 1.

Paragraphs 8-9

31. The Accused is not a cousin of Witness 1.

32. Bahtijari, to the Accused's knowledge, is a [REDACTED]

[REDACTED].

33. The telephone contact between Shala and the Accused on 5 April 2023 had nothing to do with Witness 1. Around that time the Accused was in frequent contact with Shala about a business transaction, namely the purchase of construction materials by Shala from a company called Luantini which the Accused was helping to negotiate in return for a commission. In the event the deal did not complete because agreement could not be reached on the price.

34. The Accused did speak with Bahtijari on 5 April 2023 and accepts that during the course of general conversation, the Accused spontaneously asked if Bahtijari had heard the rumour that Witness 1 was a witness at the KSC, in relation to which Bahtijari said words to the effect that everyone had heard about it.

35. The Accused also accepts that he said that if Bahtijari, [REDACTED] [REDACTED] happened to be passing by his house, would he speak to him and simply ask if the rumour was true. The Accused did not know that Bahtijari would go to see Witness 1 that day, nor did he ask him to, or imply that there was any urgency.

36. The Accused's reasons for wanting to know if it was true that Witness 1 was to be a witness were two-fold:

- (i) During the course of the war, Witness 1 had stayed at the Accused's house, which was used at one point as a safehouse for KLA soldiers. Although there was nothing that Witness 1 could truthfully say that was derogatory towards the Accused, his family and his home, given Witness 1's reputation for dishonesty and telling falsehoods, the Accused was curious to know if Witness 1 was planning to say something untrue about that period during the war when he stayed at the Accused's house which might taint his home and embarrass his family;

(ii) Given that concern, and given that the Accused had heard that Witness 1 was seeking to blackmail former KLA colleagues, the Accused was curious to know firstly, whether it was true, that he was seeking to blackmail former KLA colleagues, and if so, what precisely he wanted and from who.

37. The Accused has no knowledge of the Facebook Messenger call between Bahtijari and W04891.

Paragraph 10

38. The Accused was not aware of the frequency or otherwise of the contact between Bahtijari and Witness 1 but assumed that their relationship was a normal relationship between [REDACTED]

Paragraphs 11-17

39. The Accused did not attend the address of Witness 1 with Bahtijari and does not know what was said between them. It is understood that Bahtijari denies uttering any threat to Witness 1.

40. Witness 1 has stated that Bahtijari's visit [REDACTED]
[REDACTED]

⁷ ERN 117047-TR-ET Part 1 at page 5-7

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] was also available to the SPO on 20 April¹⁰. No recording from 5 April has been disclosed to the defence. The proper inference to be drawn is that the recording did not support the Prosecution's case that Bahtijari uttered a threat on 5 April (the only threat alleged to have been uttered) and that the recording has been deleted as a result (after the Prosecution was in possession thereof and failed to secure the same). In the circumstances, the Accused will apply to stay proceedings in accordance with Rule 110 of the Rules.

Paragraph 18

41. The Accused observes that Witness 1 did not appear in any way concerned about the safety of W04891 and his children on 12 April, when Witness 1 invited the Accused to his house, at a time when Witness 1's partner and sons were present, and, in fact, he had absolutely no reason to be.

Paragraphs 19-20

42. As stated previously, the contact between the Accused and Shala on 5 April had nothing to do with Witness 1 (or Bahtijari) and instead related to the

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

purchase of construction materials by Shala from a company called Luantini which the Accused was helping to negotiate in return for a commission. Specifically, the calls and messages referred to in paragraph 19 related to setting up a possible meeting between Shala, the Accused and Luantini the following day – a meeting which in the end was not arranged for 13 April (although the parties did in fact meet in the days following at Luantini's offices).

43. As far as the Accused was aware, Witness 1 and Shala did not know each other, and the Accused had no knowledge of any grievance held by Witness 1 towards Shala.

44. In relation to Bahtijari, the Accused did speak with him on 5 April after Bahtijari had visited Witness 1. Bahtijari told the Accused simply that he could not understand anything that Witness 1 said to him and that Bahtijari did not know why he had gone to see him.

Paragraph 21-22

45. The Accused remained curious about the matters referred to under the sub-heading 'Paragraphs 8-9' above. The Accused attempted to contact Witness 1 via Facebook but discovered that they were no longer Facebook 'friends', even though there had never been any issue between them. This fact added to the Accused's concern that Witness 1 may say something untruthful that would embarrass the Accused's family.

46. After contacting [REDACTED] spoke to Witness 1. [REDACTED] explained that Witness 1 had asked [REDACTED] to get the Accused's contact number and said that he would call the Accused. In a short time, Witness 1 then called the Accused. Witness 1 was friendly on the phone with the Accused and invited him to his home address.

Paragraph 23

47. The Accused did not speak with Shala about Witness 1. As stated above, as far as the Accused was aware, Witness 1 and Shala did not know each other, and the Accused had no knowledge of any grievance held by Witness 1 towards Shala.

48. The Accused was frequently in contact with Shala at this time, including in relation to the potential business deal which remained a possibility, and often met with him. It is possible that the call referred to in paragraph 23 was simply to tell Shala that the Accused was not able to meet with him that evening as he had something else to do.

Paragraphs 24-30

49. When the Accused arrived at Witness 1's address, Witness 1 met him at the front gates of the property. Very quickly Witness 1 mentioned Haxhi Shala. Witness 1 said that he wanted to 'fuck up' Shala, [REDACTED], and he

was laughing. The Accused was stunned as he did not know that Witness 1 even knew Shala or that he had any issue with him.

50. When inside the address, Witness 1 told the Accused that his [REDACTED] [REDACTED] was upset that Witness 1 had given a statement to the KSC. According to Witness 1, [REDACTED] had accused Witness 1 of telling lies and had stopped sending money to Witness 1 from [REDACTED] was then based. It was clear to the Accused that Witness 1 was attempting to turn the conversation towards money and Witness 1's lack of it, and raising the prospect that Witness 1 was prepared to lie.

51. In an attempt to find out (i) whether Witness 1 was planning to say something untrue about that period during the war when he stayed at the Accused's house which might taint his home and embarrass his family and (ii) whether it was true that he was seeking to blackmail former KLA colleagues, and if so, what precisely he wanted and from who, the Accused decided to 'play along' with Witness 1 and began improvising in order to keep the conversation going, with the hope that Witness 1 would say as much as possible. That decision was made on the spur of the moment.

52. Shala did not, in fact, know that the Accused was visiting Witness 1 that day, and Shala had not asked the Accused to convey any offer or request to Witness 1. Nor had the Accused sent Bahtijari to see Witness 1 on 5 April.

53. The tactic adopted by the Accused was successful in answering (ii) above, in that it elicited from Witness 1 his demand for €200,000 from Shala (not from the Accused). When Witness 1 made that demand, his partner W04891 showed no surprise at either the demand for money or the large and specific figure

demanded, such that the Accused concluded that Witness 1, and W04891, had planned all along to make that demand (consistently with the rumour that the Accused had heard previously that Witness 1 had wanted money to withdraw his statement and if it wasn't paid, then 'they could go fuck themselves' and that he would 'destroy' them).

54. Once the Accused was also satisfied that Witness 1 was not planning to say something untrue about the period during the war when he stayed at the Accused's house which might taint his home and embarrass his family, the Accused ended the conversation and left.

55. Before he left, the Accused did tell Witness 1 that it was up to him whether or not to give evidence and told him that, if he did, simply to tell the truth.

56. During the meeting the Accused had made no promise of any gift or benefit to Witness 1, and to the extent that the Accused had discussed helping Witness 1, nothing was said by the Accused that was intended by the Accused to be binding, nor understood by Witness 1 to be binding¹¹. Indeed, as far as the Accused was concerned it was a fiction in any event. Nothing that the Accused said was intended by him to induce Witness 1 to refrain from giving evidence.

57. The audio file ERN 116623-01/120547-01 is not a complete and accurate record of the conversation. Indeed, the earliest timestamp on the audio file ERN

¹¹ See also KSC-BC-2023-10/F00304, *Submissions pursuant to F00294 on whether a well-grounded suspicion is established in relation to the new charge of intimidation on the basis of "promise of a gift or any other form of benefit"*, Januzi, Confidential at paragraphs 5-9; KSC-BC-2023-10/F00402, *Januzi Preliminary Motion*, Januzi, 19 July 2024, Public at paragraphs 16-17; KSC-BC-2023-10/F00419, *Januzi Reply re Preliminary Motion*, Januzi, 2 August 2024, Confidential at paragraphs 15, 17-22 – see also KSC-BC-2023-10/F00433, *Decision on Preliminary Motions and Related Requests*, Pre-Trial Judge, 12 August 2024, Confidential at paragraph 43 when the Pre-Trial Judge held that a challenge to the constitutive elements of the said offence is a matter to be litigated by at trial and addressed by the trial panel

116623-01/120547-01 is not consistent with that audio file being created contemporaneously with the conversation between Witness 1 and the Accused. It is not accepted that the recording has not been tampered with and altered. It is simple to edit (including cropping and splicing) and alter (including creating false speech) audio recordings on smartphones using readily available editing and AI applications (such as Apple Photos, Audio Editor: Recording Studio, AI Text to Speech Generator, Voicify – Audio Chat Creator, AI Voice Editor by Vozo). Despite the defence having raised this issue, the Prosecution has seemingly conducted no forensic investigations to determine the authenticity and integrity of ERN 11623-01 (such as ascertaining (i) whether there was any evidence of deletion of audio files on AAOR4204NL, the phone from which ERN 116623-01/120547-01 was allegedly recovered; (ii) whether AAOR4204NL has any applications capable of editing audio files; and (ii) whether AAOR4204NL disclosed any evidence of the sharing of audio files (i.e. sending and receiving)¹². The authenticity and integrity of ERN 116623-01/120547-01 is not accepted, and the Accused will object to the admission of the audio file in evidence before the Trial Panel.

Paragraph 31

58. At some point after the Accused left Witness 1's address, the Accused did tell Shala of his visit to Witness 1 and the demand for €200,000. Shala simply laughed at it and said that he did not know Witness 1.

¹² See, for example, correspondence from Januzi to the SPO dated 29/04/2024 13:20 and the reply at 03/06/2024 10:58

59. Similarly, the Accused did not take the demand from Witness 1 seriously. The Accused was satisfied that Witness 1 was not planning to say something untrue about the period during the war when he stayed at the Accused's house which might taint his home and embarrass his family, and the demand in any event was not directed at him.

60. The Accused had no further interest in the matter and it was a matter of no concern to him whether or not Witness 1 subsequently gave evidence (although the fact that Witness 1 was prepared to withdraw his statement for €200,000 suggests that any evidence he might give had little credibility).

61. By contrast, Witness 1 pursued his extortionary demand for €200,000, contacting the Accused later in the month to ask if there was any news about it. The Accused told him no and that he did not intend to speak to anyone about it, upon which Witness 1 immediately hung up the phone.

Paragraph 32

62. Contrary to the assertions in paragraph 32 of the Prosecution Pre-Trial Brief, Witness 1 invited the Accused to his home address and met him personally at the gate.

63. The Accused never made any threat towards Witness 1.

Paragraph 33

64. The interview of the Accused took place after the Accused was charged – a fact that was deliberately concealed from him by the SPO. Indeed, the Accused was positively misled by the SPO, being informed at the outset that he was being interviewed as a suspect, whereas in fact he was already an accused person. The Accused will object to the admission of the interview in evidence before the Trial Panel.

IV. MATTERS OF LAW

65. The Accused will raise the following matters of law at trial:

- (a) The Accused will apply to stay proceedings in accordance with Rule 110 of the Rules on the basis that of the non-compliance with disclosure obligations which resulted in the loss of the recording of 5 April. The circumstances in which the recording of 5 April was created, retained and lost, and when the authorities were first aware thereof, remain important and disputed circumstances relevant to that issue;
- (b) The Accused will object to the admission of ERN 116623-01/120547-01. The authenticity and integrity of ERN 116623-01/120547-01 is challenged (see above). The Accused will seek access to the forensic copies of the telephones of Witness 1 and W04891 held on behalf of the SPO by the NFI, so that the Accused can conduct the forensic investigations that the SPO has thus far refused to do to examine authenticity and integrity;

(c) Further, Witness 1 was in contact with SPO officers, including [REDACTED] [REDACTED] and others unnamed), after 5 April and before 12 April, when the recording occurred. It is clear¹³ that the SPO was, at that time, [REDACTED]
[REDACTED]
[REDACTED] The Accused will challenge the admissibility of ERN 116623-01/120547-01, which recorded without authorisation, on the basis that it was obtained by means of a violation of the Law or the Rules or standards of international human rights law. The circumstances in which the recording of 12 April was created, and when the authorities were first aware thereof, are important circumstances relevant to that issue;

(d) The Accused will object to the admission of his interviews. Article 6(3) ECHR provides that everyone charged with a criminal offence has the right to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him - a minimum right that the SPO deprived the Accused of. Instead, the SPO deliberately manipulated the Accused by interviewing him under the false pretence that he was still a suspect, when in fact he had been charged and was an accused person¹⁴. The Accused will object pursuant to Rule 138(2) of the Rules on the basis that the interview was obtained by means of a violation of the Law or the Rules or standards of international human rights law.

¹³ KSC-BC-2023-10/F00046, *Confidential redacted version of 'Prosecution request for special investigative measures'*, Single Judge, 18 May 2023, Confidential

¹⁴ See Rule 2(1) and 86(6)(a)

- (e) The Accused will submit that eventual intent is not sufficient for the offence of intimidation under Article 387 of the Kosovo Criminal Code (“KCC”) and that direct intent only is sufficient. The use of the words “to induce” in Art.387 indicates a specific purpose or goal-orientated activity, namely that the purpose or goal of the use of force or serious threat etc. was *to induce* another person to refrain from making a statement or to make a false statement or to otherwise fail to state true information to the police, a prosecutor or a judge, when such information relates to obstruction of criminal proceedings¹⁵.
- (f) The Accused will submit that he cannot in law be found guilty of both counts 1 and 2 (the offence contrary to Article 401(2) of the KCC being subsidiary to Article 401(1) of the KCC)¹⁶.
- (g) Count 3 is bifurcated and has two clearly distinguished and alternative actus rei: (i) using serious threat and (ii) promising a gift or benefit¹⁷. The Accused will submit that, as a matter of law, a guilty verdict on the bifurcated count 3 can only be returned in relation to on one or other limb, but cannot be returned in relation to both.

V. DEFENCE WITNESS LIST

¹⁵ KSC-BC-2023-10/F00611, *Judgment – Separate Opinion of Judge Barthe*, Judge Barthe, 18 May 2022, Public at paragraph 2 (issue not ruled upon by the Court of Appeals Panel – see KSC-CA-2022-01/F00114, *Appeal Judgment*, Court of Appeals Panel, 2 February 2023, Public at paragraph 265)

¹⁶ KSC-BC-2020-07, *Appeal Judgment*, Court of Appeals Panel, 2 February 2023 at paragraph 309

¹⁷ See references at footnote 2 above

66. Without prejudice to any subsequent amendment or filing thereof, the Defence intends to call the following list of potential witnesses:

- (a) Sahit Bahtjari – re credibility and character of Witness 1;
- (b) Fadil Kastrati – re credibility and character of Witness 1;
- (c) Murtez Kastrati – re credibility and character of Witness 1;
- (d) Avni Qadraku – witness as to fact re 5 and 12 April 2023; re credibility and character of Witness 1;
- (e) Milaim Meta – witness as to fact re 5 and 12 April 2023; re credibility and character of Witness 1;
- (f) Bedri Qadraku – Witness as to fact re 5 and 12 April 2023; re credibility and character of Witness 1;
- (g) Rasim Qadraku – re credibility and character of Witness 1;
- (h) Blerim Dulaku – re circumstances of loss of 5 April recording;
- (i) Ruzhdi Korpuzi – re credibility and character of Witness 1;
- (j) Mentor Amerllahu – re credibility and character of Witness 1;

[Redacted]

[Redacted]

[Redacted]

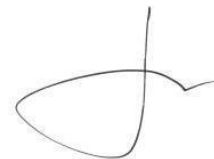
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