

1 Tuesday, 16 May 2023

2 [Open session]

3 [The accused entered the courtroom]

4 --- Upon commencing at 9.00 a.m.

5 PRESIDING JUDGE SMITH: Madam Court Officer, you can please call  
6 the case.

7 THE COURT OFFICER: Good morning, Your Honours. This is case  
8 KSC-BC-2020-06, The Specialist Prosecutor versus Hashim Thaci,  
9 Kadri Veseli, Rexhep Selimi, and Jakup Krasniqi.

10 PRESIDING JUDGE SMITH: Thank you.

11 Today we will continue with the cross-examination by the Defence  
12 of Witness 4748, but first we have two preliminary matters to  
13 address. The first can be dealt with in public session. It relates  
14 to the request by the Veseli Defence which was submitted last night  
15 to add one item to the presentation queue.

16 It has been resisted by the SPO.

17 Mr. Emmerson, such late requests make it very difficult for  
18 everyone involved, not only the parties but also the Panel and the  
19 CMU, to adequately prepare for a hearing.

20 The SPO's objection is, therefore, understandable.  
21 Nevertheless, the Panel will allow the addition to the presentation  
22 queue of item SITF00307405 to 00307447 RED3 and SITF00307405 to  
23 00307447 RED3.

24 For the second matter, we will need to go into private session.

25 Madam Court Officer, please take us to private session.

1 Oh --

2 MR. KEHOE: This is in private session, so I might just wait  
3 until we go into it, if we can.

4 PRESIDING JUDGE SMITH: Okay.

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Witness: W04748 (Resumed) (Private Session)

Page 4006

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)  
Cross-examination by Mr. Emmerson (Continued)

Page 4007

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7 [Open session]

8 THE COURT OFFICER: Your Honours, we're in public session.

9 PRESIDING JUDGE SMITH: Thank you. We're adjourned until 11.30.

10 --- Recess taken at 11.02 a.m.

11 --- On resuming at 11.30 a.m.

12 PRESIDING JUDGE SMITH: Now, back to private session, please.

13 [Private session]

14 [Private session text removed]

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Witness: W04748 (Resumed) (Private Session)

Page 4008

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4009

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4010

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4011

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4012

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4013

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4014

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4015

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4016

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4017

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4018

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4019

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4020

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4021

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4022

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4023

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4024

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4025

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4026

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4027

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4028

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4029

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4030

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4031

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4032

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4033

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4034

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4035

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4036

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4037

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4038

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4039

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4040

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4041

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4042

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4043

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4044

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4045

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4046

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4047

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4048

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4049

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4050

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4051

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4052

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4053

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4054

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4055

Cross-examination by Mr. Emmerson (Continued)

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Witness: W04748 (Resumed) (Private Session)

Page 4056

Cross-examination by Mr. Emmerson (Continued)

1 [Private session text removed]

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Witness: W04748 (Resumed) (Private Session)

Page 4057

Cross-examination by Mr. Emmerson (Continued)

1 [Private session text removed]

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Witness: W04748 (Resumed) (Private Session)  
Cross-examination by Mr. Emmerson (Continued)

Page 4058

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20 [Open session]

21 THE COURT OFFICER: Your Honours, we're in public session.

22 PRESIDING JUDGE SMITH: We will break for lunch now. We will  
23 commence with the Selimi cross at 2.30. Thank you.

24 Oh, I'm sorry. Mr. Ellis.

25 MR. ELLIS: Your Honour, I do apologise. Just very briefly.

1 We've seen that the Thaci Defence have filed the response to the  
2 urgent motion that was discussed first thing this morning. It's  
3 F1526.

4 I just wanted to place on record we would support and join the  
5 Thaci submissions. I'm happy to file in writing, but in view of the  
6 urgency of the request, I thought it might be quicker just to say it  
7 orally now.

8 PRESIDING JUDGE SMITH: As long as somebody gives a verbal  
9 statement that they support the same application, that's sufficient.

10 MR. EMMERSON: I would like to give such a statement on behalf  
11 of the Veseli Defence.

12 MR. ROBERTS: We've just filed our own response, Your Honour,  
13 just moments ago. We sent a courtesy copy as well. It's along  
14 similar lines to the Thaci but ...

15 PRESIDING JUDGE SMITH: [Microphone not activated]

16 --- Luncheon recess taken at 12.55 p.m.

17 --- On resuming at 2.30 p.m.

18 MR. EMMERSON: May I just tender some documents when Your Honour  
19 is ready?

20 PRESIDING JUDGE SMITH: I'm sorry, I can't hear you.

21 Now, go ahead.

22 MR. EMMERSON: Are we in open session still? I'm sorry, I do  
23 apologise. I was saying may I just tender four of the documents that  
24 we used in cross-examination that are not yet admitted?

25 PRESIDING JUDGE SMITH: [Microphone not activated]

1 MR. EMMERSON: No, I was going to read them out.

2 So are we in closed session? I think we should go into --

3 PRESIDING JUDGE SMITH: [Microphone not activated]

4 MR. EMMERSON: Yes.

5 THE INTERPRETER: Microphone for Your Honour.

6 PRESIDING JUDGE SMITH: We're in public session.

7 MR. EMMERSON: Yes, I think it would be best if I tendered them  
8 in closed session.

9 PRESIDING JUDGE SMITH: Okay. Why don't you just wait just a  
10 minute. I've got one little announcement to make.

11 We have your submission. We will enter an order on the  
12 protective measures by end of business today.

13 MR. KEHOE: [Microphone not activated]

14 PRESIDING JUDGE SMITH: And now we will go into closed session.

15 [Private session]

16 [Private session text removed]

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Witness: W04748 (Resumed) (Private Session)

Page 4065

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4066

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4067

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4069

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4070

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4071

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04748 (Resumed) (Private Session)

Page 4072

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04748 (Resumed) (Private Session)

Page 4073

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4079

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4080

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4081

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4082

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4084

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4085

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4094

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

Page 4098

Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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Witness: W04748 (Resumed) (Private Session)

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Cross-examination by Mr. Tully

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17 [Open session]

18 THE COURT OFFICER: Your Honours, we're in public session.

19 PRESIDING JUDGE SMITH: Thank you.

20 If there is nothing else before the Court today, we will adjourn  
21 until 9.00 a.m. tomorrow.

22 Thank you all for your attendance and attention. We're  
23 adjourned.

24 --- Whereupon the hearing adjourned at 3.58 p.m.

25