

In the Matter Of:
Seelster Farms Inc., et al. vs
Her Majesty the Queen In Right of Ontario, et al.

STEPHEN ORSINI
February 13, 2018

neelsons

77 King Street West, Suite 2020
Toronto, ON M5K 1A2
1.888.525.6666 | 416.413.7755

1 Court File No. 842/12

2 ONTARIO

3 SUPERIOR COURT OF JUSTICE

4 B E T W E E N :

5
6 SEELSTER FARMS INC., WINBAK FARM OF CANADA INC.,
7 STONEBRIDGE FARM, 774440 ONTARIO INC., NORTHFIELDS
8 FARM INC., JOHN MCKNIGHT, TARA HILLS STUD LTD.,
9 TWINBROOK LTD., EMERALD RIDGE FARM, CENTURY SPRING
10 FARMS, HARRY RUTHERFORD, DIANE INGHAM, BURGESS
11 FARMS INC., ROBERT BURGESS, 453997 ONTARIO LTD.,
12 TERRY DEVOS, SONIA DEVOS, GLENN BECHTEL, GARTH
13 BECHTEL, 496268 NEW YORK INC., HAMSTAN FARM INC.,
14 ESTATE OF JAMES CARR, deceased, by its executor
15 Darlene Carr, ESTATE OF GUY POLILLO, deceased, by
16 its executor Carolyn Polillo, DAVID GOODROW,
17 TIMPANO GAMING INC., CRAIG TURNER, GLENGATE
18 HOLDINGS INC., KENDAL HILLS STUD FARM LTD., ANDY
19 KLEMENCIC, TIM KLEMENCIC, STAN KLEMENCIC, JEFF
20 RUCH, BRETT ANDERSON, DR. BRETT C. ANDERSON
21 PROFESSIONAL VETERINARY CORPORATION, KILLEAN ACRES
22 INC., DECISION THEORY INC., 296268 ONTARIO LTD.,
23 DOUGLAS MURRAY MCCONNELL, QUINTET FARMS INC., KARIN
24 BURGESS, BLAIR BURGESS, ST. LAD'S LTD., WINDSUN
25 FARM INC., SKYHAVEN FARMS, HIGH STAKES INC.,

Page 266

1 1806112 ONTARIO INC., GLASSFORD EQUI-CARE, JOHN
 2 GLASSFORD, GLORIA ROBINSON and KEITH ROBINSON
 3 Plaintiffs
 4 - and -
 5 HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO and
 6 ONTARIO LOTTERY AND GAMING CORPORATION
 7 Defendants
 8 -----
 9 --- This is the Continued Rule 39.03 Examination of
 10 STEPHEN ORSINI, a non-party witness herein, taken
 11 at the offices of Neeson Court Reporting Inc.,
 12 77 King Street West, Suite 2020, Toronto, Ontario,
 13 on the 13th day of February 2018.
 14 -----
 15 A P P E A R A N C E S :
 16 Jonathan Lisus, Esq.,
 17 Ian Matthews, Esq.,
 18 & Vivien Milat, Esq , for the Plaintiffs.
 19
 20 Robert Ratcliffe, Esq.,
 21 & Rodney Kort, Esq., for the Defendant
 22 Crown.
 23
 24 Michael Rosenberg, Esq., for the OLG.
 25 REPORTED BY: Carissa Stabbler, RPR, CSR

Page 267

1 I N D E X
 2
 3 WITNESS: STEPHEN ORSINI
 4 PAGE
 5 CONTINUED CROSS-EXAMINATION BY..... 270
 6 MR. LISUS
 7 CROSS-EXAMINATION BY MR. ROSENBERG..... 523
 8 CROSS-EXAMINATION BY MR. RATCLIFFE..... 584
 9 RECROSS-EXAMINATION BY MR. LISUS..... 590
 10
 11
 12 **The following list of undertakings, advisements
 13 and refusals is meant as a guide only for the
 14 assistance of counsel and no other purpose**
 15
 16
 17 INDEX OF UNDERTAKINGS
 18 The questions/requests undertaken are noted by U/T
 19 and appear on the following pages: 273:1, 273:13
 20
 21
 22 INDEX OF ADVISEMENTS
 23 The questions/requests taken under advisement are
 24 noted by U/A and appear on the following pages:
 25 295:22, 297:24, 298:7, 319:7, 321:10, 496:18

Page 268

1
 2
 3 INDEX OF REFUSALS
 4 The questions/requests refused are noted by R/F and
 5 appear on the following pages: 285:3, 290:18,
 6 294:14, 393:16, 411:8, 425:20, 426:14, 450:12,
 7 484:22, 487:5
 8
 9 INDEX OF EXHIBITS
 10
 11 NUMBER/DESCRIPTION PAGE/LINE NO.
 12 17: CRE0361148. 274:1
 13 18: Document entitled "Transfer
 14 Payment Accountability" dated
 15 September 29, 1998. 296:17
 16 19: CRE0018299 and attachments. 298:16
 17 20: Transfer Payment Accountability
 18 Directive dated August 31, 2007. 322:7
 19 21: CRE0018318. 327:16
 20 22: OLGSB0002315 and OLGSB0002316. 336:22
 21 G for Identification: OLGSB0001359
 22 and OLGSB0001360. 347:21
 23 23: CRE0214397 and CRE0214400. 355:24
 24 24: CRE0361127. 359:21
 25 25: CRE0087519 and CRE0087520. 362:25
 26: CRE0080004 and CRE0080005.

Page 269

1 27: CRE0012950. 364:22
 2 28: CRE0360917. 368:1
 3 H for Identification: CRE0361000. 371:21
 4 I for Identification: CRE0360994. 373:4
 5 J for Identification: CRE0361002. 374:9
 6 K for Identification: CRE0012973. 379:17
 7 L for Identification: CRE0361055. 381:3
 8 M for Identification: CRE0088295 and
 9 CRE0088298. 394:6
 10 29: CRE0209040. 407:12
 11 30: CRE0032059. 410:12
 12 31: CRE0081193. 430:19
 13 32: CRE0106086. 438:23
 14 33: CRE0214699. 443:10
 15 34: CRE0406984. 492:7
 16 35: CRE0024178 and CRE0024180. 492:21
 17 36: CRE0031439. 498:7
 18 37: CRE0359818, CRE0359819, and
 19 CRE0359820. 502:12
 20 38: CRE0093343 and CRE0093344. 523:12
 21 39: Document entitled "Strong Action
 22 for Ontario." 530:5
 23 N for Identification: SB0005277. 565:7
 24
 25

Page 270	Page 272
<p>1 -- Upon Commencing at 10:06 a.m. --</p> <p>2 STEPHEN ORSINI: PREVIOUSLY SWORN.</p> <p>3 CONTINUED CROSS-EXAMINATION BY</p> <p>4 MR. LISUS:</p> <p>5 947 Q. When we --</p> <p>6 A. Before we begin, two things, I</p> <p>7 noticed when I was leaving yesterday, I noticed we</p> <p>8 had two pages, three pages, 873, 875.</p> <p>9 948 Q. Right.</p> <p>10 A. It was in --</p> <p>11 949 Q. Hold on to them because that's</p> <p>12 where we're going to start today.</p> <p>13 A. Okay.</p> <p>14 950 Q. Okay. You can even keep them as a</p> <p>15 memento.</p> <p>16 A. I just didn't want to take them if</p> <p>17 they were --</p> <p>18 951 Q. No, no.</p> <p>19 A. -- part of your evidence.</p> <p>20 The other thing I wanted to -- when you</p> <p>21 referred to my public profile, my dates, I just</p> <p>22 want to go back and just clarify just to make sure</p> <p>23 we're absolutely clear.</p> <p>24 So Deputy Minister of Finance from</p> <p>25 December 2011 to July 2014. In the fall of 2010,</p>	<p>1 BY MR. LISUS:</p> <p>2 956 Q. So do you recall being engaged in</p> <p>3 a project called Project 76 in the fall of 2011?</p> <p>4 A. I don't recall exactly the time,</p> <p>5 but I do recall there was a Project 76 looking at</p> <p>6 our business support programs.</p> <p>7 957 Q. Okay. Because it says:</p> <p>8 "Decision deck that was tabled</p> <p>9 for Project 76 committee deputies a</p> <p>10 couple weeks ago, including options,</p> <p>11 recommendations, break-out by</p> <p>12 sector."</p> <p>13 Right?</p> <p>14 A. I see that reference, yes.</p> <p>15 958 Q. Okay.</p> <p>16 A. I'm not on that committee.</p> <p>17 959 Q. All right.</p> <p>18 MR. LISUS: Mr. Ratcliffe, I understand</p> <p>19 that you are going to provide to me today a</p> <p>20 somewhat redacted copy of the Project 76 report.</p> <p>21 MR. RATCLIFFE: Yeah, well, the key</p> <p>22 parts of it. We're just getting approval for that</p> <p>23 right now.</p> <p>24 MR. LISUS: And what about the decision</p> <p>25 deck referred to in this email?</p>
<p>1 associate deputy minister of tax, agencies, and</p> <p>2 pensions. And then in 2009, assistant deputy</p> <p>3 minister office of the budget, taxation, and</p> <p>4 pensions. I was also given responsibility for OLG.</p> <p>5 That wasn't in my detailed public profile.</p> <p>6 952 Q. Okay.</p> <p>7 A. I just want to be clear on that.</p> <p>8 953 Q. Thanks. When we broke yesterday,</p> <p>9 we were discussing the November 10, 2011, email</p> <p>10 from Mr. Cote to you enclosing key Project 76</p> <p>11 materials. Do you remember that?</p> <p>12 A. I remember you pointing the email</p> <p>13 out to me yesterday.</p> <p>14 954 Q. All right.</p> <p>15 A. Do I have that in front of me?</p> <p>16 955 Q. It's in page 873 at the bottom.</p> <p>17 A. Yes, I have that in front of me.</p> <p>18 MR. ROSENBERG: Mr. Lisus, you've been</p> <p>19 referring to page numbers. What are those page</p> <p>20 numbers?</p> <p>21 MR. LISUS: I don't know. They're page</p> <p>22 numbers on the top of --</p> <p>23 MR. RATCLIFFE: 873, 874, 875.</p> <p>24 MR. LISUS: -- on the top of the pages</p> <p>25 that I have.</p>	<p>1 U/T MR. RATCLIFFE: I don't know about the</p> <p>2 decision deck. We could look to see if we can</p> <p>3 locate that, I guess.</p> <p>4 MR. LISUS: Would you do that?</p> <p>5 And while I'm on follow-up, when I</p> <p>6 examined Mr. Wilkinson, he referred to two MOUs</p> <p>7 that were signed with the thoroughbred breeders and</p> <p>8 the quarter horse breeders, and I asked for</p> <p>9 production of them.</p> <p>10 So I think we're coming up to a couple</p> <p>11 months out. Can you please look for production of</p> <p>12 those MOUs and provide them to me?</p> <p>13 U/T MR. RATCLIFFE: I will follow up on</p> <p>14 that.</p> <p>15 MR. LISUS: Thank you. You recall the</p> <p>16 exchange; right?</p> <p>17 MR. RATCLIFFE: Yes, I do.</p> <p>18 MR. LISUS: Okay.</p> <p>19 THE WITNESS: I'm handing them back</p> <p>20 now.</p> <p>21 MR. LISUS: Okay. This is an exhibit.</p> <p>22 There's no exhibit stamp on this copy.</p> <p>23 MR. MILAT: The next number will be 17.</p> <p>24 MR. MATTHEWS: So CRE361148 will be</p> <p>25 Number 17.</p>

Page 274		Page 276	
1	EXHIBIT NO. 17: CRE0361148.	1	967 Q. Do you have any recollection as to
2	BY MR. LISUS:	2	whether the modernization of OLG and potential
3	960 Q. Now, sir, I understand from your	3	changes to SARP revenue share were on the agenda
4	clarification or amplification this morning of your	4	for February Cabinet meeting in December 2012?
5	job sequence, that you became deputy minister in	5	A. I wouldn't know when that was
6	December 2011?	6	scheduled for the Cabinet meeting.
7	A. That's correct.	7	968 Q. Can we infer from the fact that
8	961 Q. And I take it that was the first	8	there's a draft minute circulated on December 12,
9	time that you really became involved in discussions	9	2012 -- excuse me, 2011, December 12th, 2011,
10	regarding -- in any detail regarding the land-based	10	regarding the revenue sharing, that the issue was
11	gaming review that was underway at OLG and the	11	planned to be on the February 8 Cabinet meeting?
12	potential changes to the revenue-sharing	12	A. I think at the time -- and, again,
13	arrangement in place at Slots at Racetrack Program?	13	I'm trying to recall the sequence. At the time,
14	A. I think I would have been exposed	14	they were preparing material for a Cabinet meeting,
15	earlier than that and gradually getting more	15	not knowing exactly when.
16	information over time as they were developing their	16	969 Q. All right.
17	modernization plans.	17	A. They may have, but I don't think
18	962 Q. All right. Now, I have reviewed	18	we know exactly when Cabinet agenda would open up
19	the record in some detail, sir, and my review	19	for an item such as this.
20	indicates that in the second week of December 2011,	20	970 Q. So there's a package of material
21	Finance created a five-year approach for horse	21	being circulated here for a DM briefing tomorrow on
22	racing funding. Do you recall that?	22	gaming. And you were the DM as of December the
23	A. I recall different options being	23	12th; correct?
24	developed. Some of them are phased in -- or phased	24	A. I'm trying to remember whether it
25	out over three, five-year period, correct, after	25	was December 11th. I -- so it was about that time.
Page 275		Page 277	
1	one-year notice.	1	971 Q. Okay. So let's have a look at the
2	963 Q. Did you direct the development of	2	proposed five-year approach to the horse racing
3	those options?	3	industry which is provided there. And the
4	A. I did not direct those.	4	five-year approach speaks to regulation and funding
5	964 Q. Okay. Do you know who did direct	5	and industry sustainability; right?
6	the development of those options?	6	A. Where are you referring
7	A. I don't know in particular. I	7	specifically to?
8	know that the ministry was engaged right across the	8	972 Q. Well, the first page says:
9	board to look for savings.	9	"Government role with respect
10	965 Q. Okay. So I want to show you	10	to horse racing industry."
11	CRE18299. And while we dig that up, we're now in	11	Are you with me there?
12	December. We're now on December the 12th, and I'm	12	A. I see that.
13	going to show you a package of materials that has	13	973 Q. Okay. And it identifies the
14	in it a draft Cabinet minute.	14	government's role under the proposed approach,
15	I presume, sir -- and this was	15	which is regulation through the ORC; right?
16	explained to me by prior witnesses -- that as of	16	A. I see that.
17	December 12, 2011, the February 8 Cabinet meeting	17	974 Q. And industry viability:
18	had probably been booked already, but the agenda	18	"The government provides
19	had not been set. Is that what you understand?	19	revenue to the industry that is
20	A. I think there's regularly	20	generated through the provincial
21	scheduled Cabinet meetings --	21	Pari-Mutuel Tax Reduction."
22	966 Q. Yes.	22	Do you see that?
23	A. -- and subcommittee meetings. The	23	A. I see that reference.
24	exact agendas could be scheduled weeks in advance	24	975 Q. And then the proposed approach
25	or shortly prior to the meeting.	25	says:

Page 278	Page 280
<p>1 "Under the proposed approach, 2 the government will no longer 3 support industry program delivery 4 through the ORC. These programs 5 will be transitioned back to the 6 industry, and ORC will retain its 7 core regulatory responsibilities." 8 Do you see that? 9 A. I see that reference. 10 976 Q. Do you know whether the ORC was 11 consulted about these proposed changes? 12 A. I suspect there's some level of 13 engagement. I don't know exactly -- 14 977 Q. Do you know? 15 A. I don't know exactly what level of 16 engagement they would have had. 17 978 Q. Do you know whether there was any 18 engagement? 19 A. That I cannot comment either way. 20 979 Q. All right. And then under 21 Funding, it says: 22 "The Pari-Mutuel Tax Reduction 23 will continue to be provided to the 24 industry on an ongoing basis." 25 Do you see that?</p>	<p>1 years, leaving aside the particular increments? 2 A. Well, it was really tied to the 3 amount of savings, how quickly the savings could be 4 derived. 5 986 Q. Okay. And I presume it was tied 6 to the question of how quickly the savings could be 7 derived while balancing the impacts of a reduction 8 in funding? 9 A. Looking at all aspects, they would 10 be looking at various proposals. 11 987 Q. Right. But you said the idea was 12 to get savings as quickly as possible; right? 13 A. If -- they would be looking at 14 different phase-out options based on the savings 15 they were trying to achieve. 16 988 Q. And they were trying to -- when 17 you say "savings," you mean increased revenue to 18 the government? 19 A. OLG. 20 989 Q. To OLG? 21 A. The overall modernization plan was 22 to get up to a billion dollars in savings by some 23 future year. I can't recall exactly the date. 24 990 Q. In this context, when you say 25 "savings," you're talking about an increase to the</p>
Page 279	Page 281
<p>1 A. I see that reference. 2 980 Q. And then it proposes that the 3 Slots at Racetrack Program funding will be phased 4 out over a five-year period. 5 A. I see that reference as well. 6 981 Q. Now, who proposed or structured 7 that particular phase-out? Do you know? 8 A. I think -- 9 982 Q. Just tell me if you know. 10 A. I don't. 11 983 Q. Okay. Do you recall being briefed 12 as to why Finance was proposing a five-year 13 phase-out as described in this document? Do you 14 have any recollection? 15 A. It was all part of a budget 16 process to look for savings in the system to get 17 better value for money, and they were developing 18 different options, and this is one of the options 19 they developed. 20 984 Q. But you don't recall being briefed 21 as to why they developed a phase-out over five 22 years in these increments? 23 A. Not into these increments. 24 985 Q. Okay. Do you recall being briefed 25 as to why they proposed a phase-out over five</p>	<p>1 revenue of OLG? 2 A. The net income coming from OLG to 3 the CRF, Consolidated Revenue Fund. 4 991 Q. Right. But the question I asked 5 you, sir, is did you understand at this time that 6 what the Finance officials were doing was trying to 7 come up with a proposal that generated the greatest 8 return of revenue to OLG while balancing the 9 consequences of reducing the payments to those 10 participating in revenue share? 11 A. I think they were looking at a 12 variety of options of how to derive savings and 13 increase OLG's net dividend. And this is one of 14 the options they had developed. 15 992 Q. So that's all they were looking at 16 was how to derive savings and increase OLG's net 17 dividend; fair? 18 A. I think they were looking at a 19 variety of factors. I'm just saying that from my 20 understanding, this is one of the things they were 21 looking at. 22 993 Q. Okay. And you don't recall 23 discussing with them what the impact of this 24 proposed approach would be on the stakeholders 25 in --</p>

Page 282		Page 284	
1	A. I think the rest of the material	1	on transfer payment accountability was passed
2	would start to talk about that. I'm just referring	2	pursuant to the Management Board of Cabinet Act
3	to that one specific reference you cited.	3	which governed transfer payments; correct?
4	994 Q. My question to you, sir, was	4	A. Sounds familiar.
5	whether you recall discussing with the ministry	5	1005 Q. And I wanted to show you a
6	officials what the consequences to the stakeholders	6	directive from 1998. And the Management Board of
7	in the SARP program would be of a five-year	7	Cabinet Act came into effect in 1990 and remains in
8	phase-out.	8	effect; correct?
9	A. I can't recall the specifics of	9	MR. RATCLIFFE: Do you know the answer
10	that conversation.	10	to that?
11	995 Q. Can you recall anything?	11	THE WITNESS: I can't confirm whether
12	MR. RATCLIFFE: Would it be helpful if	12	it's been revised over the years or not.
13	he had a chance to read that beyond just that one	13	BY MR. LISUS:
14	paragraph?	14	1006 Q. And I'm showing you a document
15	THE WITNESS: I think if I recall the	15	entitled "Transfer Payment Accountability Corporate
16	type of a Cabinet submission, it would identify	16	Policy Branch Program Management and Estimates
17	various options, other considerations, and the	17	Division Management Board Secretariat, September
18	reaction from the sector. I think our typical	18	29, 1998." Do you see that?
19	Cabinet submissions would identify those type of	19	A. I see that.
20	issues.	20	1007 Q. And if we look at the first page,
21	BY MR. LISUS:	21	it talks about mandatory requirements?
22	996 Q. My question to you, sir, was	22	A. I see that.
23	whether you recall discussing --	23	1008 Q. And then the second page, there's
24	A. I can't recall the specifics of	24	agreements?
25	the conversation that happened.	25	A. I see that.
Page 283		Page 285	
1	997 Q. Can you recall anything at all	1	1009 Q. All transfer payments had to be
2	specific or general?	2	made pursuant to an agreement; correct?
3	A. The reaction from the industry was	3	R/F MR. ROSENBERG: I object, Counsel.
4	part of the considerations that would have been	4	You're asking the witness a legal question.
5	discussed at the time.	5	MR. LISUS: No, I'm not. This is the
6	998 Q. That's all you can tell me?	6	witness's area of responsibility. He's a Deputy
7	A. That is all that I can remember.	7	Minister of Finance.
8	999 Q. Okay. And we see that the	8	MR. RATCLIFFE: You're asking about a
9	document indicates that starting in year two,	9	document before he became deputy, though. Have you
10	2013-14, a transfer payment transition program	10	seen this document before?
11	begins. Do you see that?	11	THE WITNESS: I would have seen
12	A. On page 882?	12	different versions of it.
13	1000 Q. Yes.	13	BY MR. LISUS:
14	A. Yeah. Second row, year two.	14	1010 Q. So you knew how transfer payments
15	1001 Q. Yes.	15	worked in --
16	A. Yes, I see that reference.	16	A. I have some general understanding.
17	1002 Q. What is a transfer payment	17	1011 Q. Okay. So transfer payments had to
18	transition program?	18	be made pursuant to agreements; correct?
19	A. I'm not sure the reference to this	19	A. To receive -- if the government
20	exactly what the program is.	20	was transferring funds to an organization --
21	1003 Q. Transfer payments in 2011 were	21	1012 Q. Or an individual.
22	governed by a management board directive on	22	A. -- or to an individual, there
23	transfer payment accountability; correct?	23	would be some level of agreement to receive those
24	A. That's my understanding.	24	funds. The government could offer to provide funds
25	1004 Q. And the management board directive	25	to an individual, and they may not agree to the

Page 286	Page 288
<p>1 terms and conditions.</p> <p>2 1013 Q. But if the individual organization</p> <p>3 received funds, there had to be an agreement in</p> <p>4 place; correct?</p> <p>5 A. They would have to agree to the</p> <p>6 terms and conditions to receive those funds.</p> <p>7 1014 Q. Right, the terms and conditions of</p> <p>8 an agreement?</p> <p>9 A. To accept those funds, there would</p> <p>10 have to be some type of agreement to the terms and</p> <p>11 conditions before funds could flow.</p> <p>12 1015 Q. And if we see the terms of this</p> <p>13 1998 directive, it says:</p> <p>14 "Transfer payments involve an</p> <p>15 agreement between the province and</p> <p>16 the recipient."</p> <p>17 Right?</p> <p>18 A. So an executed agreement would</p> <p>19 be -- involve an agreement between the province and</p> <p>20 the recipient.</p> <p>21 1016 Q. I understand, sir. And then the</p> <p>22 directive says:</p> <p>23 "In the case of entitlement</p> <p>24 programs, the contractual</p> <p>25 arrangements will consist of written</p>	<p>1 THE WITNESS: I've only been given up</p> <p>2 to page --</p> <p>3 BY MR. LISUS:</p> <p>4 1021 Q. "Entitlements are transfers that</p> <p>5 a government must make if the</p> <p>6 recipient specified eligibility</p> <p>7 criteria."</p> <p>8 Do you see that?</p> <p>9 MR. RATCLIFFE: He hasn't had a chance</p> <p>10 to read the whole document.</p> <p>11 BY MR. LISUS:</p> <p>12 1022 Q. Let me ask you this, sir: Maybe</p> <p>13 this will truncate the exercise. You and I can</p> <p>14 agree that there is no agreement under the</p> <p>15 Management Board of Cabinet Act and the management</p> <p>16 board directive on transfer payment accountability</p> <p>17 with respect to the revenue-sharing arrangement</p> <p>18 from the Slots at Racetrack Program. Can we agree</p> <p>19 on that?</p> <p>20 A. Repeat that.</p> <p>21 1023 Q. There is no transfer payment</p> <p>22 agreement under the --</p> <p>23 A. So you're referring back to this</p> <p>24 proposal?</p> <p>25 1024 Q. No, I'm not.</p>
Page 287	Page 289
<p>1 representations on the part of</p> <p>2 recipients that they meet</p> <p>3 eligibility criteria supported by</p> <p>4 whatever proofs are required by</p> <p>5 particular programs."</p> <p>6 Right?</p> <p>7 A. That's what it states.</p> <p>8 1017 Q. And what does that mean?</p> <p>9 A. You're now asking me to delve more</p> <p>10 into the specifics of this, and I haven't had time</p> <p>11 to really review it.</p> <p>12 1018 Q. Well, do you want to review it?</p> <p>13 A. The entitlement programs, I would</p> <p>14 have to consult with people what's an entitlement</p> <p>15 program. The specific definition of "entitlement</p> <p>16 program" I wouldn't be privy to right now.</p> <p>17 1019 Q. There's a definition section at</p> <p>18 the end, I believe.</p> <p>19 MR. RATCLIFFE: Counsel, he said that</p> <p>20 he didn't know the answer to your question.</p> <p>21 BY MR. LISUS:</p> <p>22 1020 Q. We can look at it right now. So</p> <p>23 if you look at page 86 of the document --</p> <p>24 MR. ROSENBERG: Where are the other</p> <p>25 pages, Counsel?</p>	<p>1 A. Okay.</p> <p>2 1025 Q. I'm just saying --</p> <p>3 MR. RATCLIFFE: Do you know whether</p> <p>4 there's an agreement?</p> <p>5 BY MR. LISUS:</p> <p>6 1026 Q. You and I can agree that there is</p> <p>7 no agreement created under the Management Board of</p> <p>8 Cabinet Act and the management board directive on</p> <p>9 transfer payment accountability with respect to the</p> <p>10 sharing of revenue from Slots at Racetrack Program?</p> <p>11 A. You're asking me a legal question,</p> <p>12 whether the siteholder's agreement is an agreement</p> <p>13 under the management board directive, and I can't</p> <p>14 answer that.</p> <p>15 1027 Q. Fair enough. Apart from the</p> <p>16 siteholder's agreement, there is no other</p> <p>17 agreement; correct?</p> <p>18 A. I'm not aware if there is or</p> <p>19 isn't.</p> <p>20 1028 Q. Okay. But you think that the</p> <p>21 siteholder's agreement might be an agreement</p> <p>22 that --</p> <p>23 A. I'm not saying either way. You're</p> <p>24 asking me for a legal interpretation, and I'm not</p> <p>25 in a position to provide one.</p>

Page 290	Page 292
<p>1 1029 Q. The siteholder's agreement, sir, 2 you understand is between OLC and -- 3 A. OLG? 4 1030 Q. OLG, yes, and the respective 5 racetracks; right? 6 A. I don't know the legal entity, 7 per se. 8 MR. RATCLIFFE: He indicated early on 9 yesterday that he wasn't familiar with these 10 agreements, so I'm not sure why you're going down 11 this line. 12 BY MR. LISUS: 13 1031 Q. Now, in order to satisfy the 14 requirements of the management board directive on 15 transfer payment accountability, transfer payments 16 were required to have certain characteristics; 17 correct? 18 R/F MR. ROSENBERG: Objection. You're 19 asking the witness a legal question. 20 BY MR. LISUS: 21 1032 Q. Well, let's look at the transfer 22 payments together with Mr. Orsini. 23 MR. RATCLIFFE: Well, let's look at it, 24 but, again, Mr. Orsini -- you're asking a legal 25 question.</p>	<p>1 observe the discussions and make sure that 2 people are -- there's staff to answer questions, 3 that ministries come in, they present the materials 4 in advance. 5 1036 Q. So you say the minister was the 6 chair of the Treasury Board? 7 A. Yes. 8 1037 Q. Okay. Thank you. So take a look 9 at the transfer payments. 10 MR. ROSENBERG: Counsel, what are these 11 documents you put before the witness? They seem to 12 be a number of documents that you put together. 13 MR. LISUS: Transfer payment 14 accountability, management board directive on 15 transfer payment accountability. That's what it is 16 from 1998. 17 MR. ROSENBERG: That's the first couple 18 of pages from what looks like 1998, but then we get 19 into another section that's headed "Transfer 20 Payment Accountability Directive." There's no 21 cover to this. It just starts at page 1. What is 22 this, Counsel? 23 BY MR. LISUS: 24 1038 Q. Tell me when you reviewed the 25 document.</p>
Page 291	Page 293
<p>1 MR. LISUS: No, I'm not. I'm asking 2 Mr. Orsini about an instrument that governs the 3 government's payment of money, which I understand 4 to be the defendant's position in this case, that 5 the plaintiffs were receiving subsidies. 6 And I'm just trying to understand how 7 these subsidies were paid and where they came from. 8 So I'm starting with the transfer payment regime. 9 That's all. 10 MR. RATCLIFFE: Perhaps it would be 11 helpful, then, if you give him an opportunity to 12 read through. 13 BY MR. LISUS: 14 1033 Q. Sure. Take your time, sir. 15 Aren't you a former chair of the Treasury Board, 16 Mr. Orsini? 17 A. No. That's -- the minister is the 18 chair. 19 1034 Q. Okay. What was your role at the 20 Treasury Board? 21 A. Secretary of Treasury Board. 22 1035 Q. All right. What are the duties of 23 the secretary of the Treasury Board? 24 A. Is to ensure that there's agendas, 25 briefing materials go in. I sign the minutes. I</p>	<p>1 MR. ROSENBERG: Well, tell us what the 2 documents are, Counsel. 3 MR. LISUS: I have. 4 MR. ROSENBERG: You have not. This 5 next one jumps to August -- 6 THE WITNESS: Is this the full 7 document? 8 BY MR. LISUS: 9 1039 Q. Yes, this is the full transfer of 10 payment accountability from September 1998, pages 11 81 through to -- 12 A. Is it the most recent one? 13 1040 Q. No. This is 1998, at the time 14 SARP was established. We'll come to more recent 15 ones in a minute. Okay? 16 A. And your question is? 17 1041 Q. My question is that the document 18 identifies -- or has a definition of transfer 19 payments. Do you see that? 20 A. I'm just looking. What page are 21 you on? 22 1042 Q. 85. 23 A. I'm on page 85. 24 1043 Q. All right. Do you see where it 25 says:</p>

Page 294

1 "Government transfers are
2 transfers of money from a government
3 to an individual, an organization,
4 or another government for which the
5 government making the transfer does
6 not, A, receive goods or services
7 directly in return as would occur in
8 a purchase or sale transaction."
9 Right?

10 "Expect to be repaid in the
11 future as would be expected in a
12 loan or expect a financial return as
13 would be expected in an investment."
14 R/F MR. RATCLIFFE: You're asking
15 Mr. Orsini to provide a legal interpretation to
16 this document, and he's not a lawyer. And if you
17 were to say whether he has been directly involved
18 in any of these matters, I mean, he can speak from
19 his own personal experience, but here you're asking
20 him to interpret a document, and I think this is
21 not a place to do that.
22 THE WITNESS: It also refers to another
23 document as part of the footnotes that I don't -- I
24 haven't reviewed. And it's dealing with the public
25 sector accounting board standard.

Page 295

1 MR. LISUS: You seem to be a little bit
2 uncertain about transfer payments, so perhaps I'll
3 see if I can truncate this, Mr. Ratcliffe.
4 Is it the government's position that the
5 funds shared with the horse racing industry
6 pursuant to the Slots at Racetrack Program were a
7 transfer payment?
8 MR. RATCLIFFE: I can't answer that
9 today in terms of -- it would depend, I suppose, on
10 what it is that you're suggesting under that
11 document. I haven't had a chance to review that
12 document either. So I'm not in a position to
13 answer your question.
14 MR. LISUS: Well, I'm not suggesting
15 anything, in particular.
16 MR. RATCLIFFE: Well, you're asking if
17 it was a transfer payment, and that's what you seem
18 to be -- or not. I don't know. In any event, I'm
19 not in a position to answer that today.
20 MR. LISUS: Okay. Well, when will you
21 be in a position to answer it?
22 U/A MR. RATCLIFFE: After we review the
23 document and consult that, I can get back to you,
24 or I'll take that under advisement in terms of
25 whether it's really essential to address as part of

Page 296

1 your claim.
2 MR. LISUS: The reason I'm asking
3 you -- we can mark this as the next exhibit.
4 MR. MATTHEWS: So we'll mark the
5 document entitled "Transfer Payment
6 Accountability," which is dated September 29, 1998,
7 six pages, as the next exhibit, number 18.
8 And, Mr. Orsini, if you could pass me
9 back the email that you had along with the
10 five-year proposed approach.
11 EXHIBIT NO. 18: Document entitled
12 "Transfer Payment Accountability" dated
13 September 29, 1998.
14 MR. MATTHEWS: So we'll mark the
15 document CRE18299 and its attachments as the next
16 exhibit, Exhibit 19.
17 EXHIBIT NO. 19: CRE0018299 and
18 attachments.
19 BY MR. LISUS:
20 1044 Q. The next document I want to show
21 you is the New Transfer Payment Accountability
22 Directive passed August 31, 2007. And if you just
23 follow along with the document, you'll see that
24 there's a -- it identifies mandatory requirements,
25 monitoring and reporting, corrective action,

Page 297

1 et cetera.
2 And so my question to you, sir, is are
3 you aware of any transfer payment agreement
4 governing or referring to the sharing of revenue of
5 the horse racing industry from the Slots at
6 Racetrack Program apart from the siteholder
7 agreements that you referred to which you said may
8 or not be a transfer payment agreement?
9 A. Yeah, I would -- that's a legal
10 issue that I can't comment on.
11 MR. LISUS: Will you give me your
12 position, Mr. Ratcliffe?
13 MR. RATCLIFFE: I will take that under
14 advisement in terms of your request. If you could
15 just clarify what it is that you're asking for.
16 MR. LISUS: I want to know whether it
17 is the position of Ontario that the revenue shared
18 with the horse racing industry from 1998 to 2013
19 were transfer payments, and if they were transfer
20 payments, whether there was -- whether the transfer
21 payments complied with the Transfer Payment
22 Accountability Directive that was in force in 1998
23 and as revised in 2007.
24 U/A MR. RATCLIFFE: We'll take that under
25 advisement.

<p style="text-align: right;">Page 298</p> <p>1 MR. LISUS: And to provide me a copy of 2 any agreements if the Ontario government is of the 3 position in this lawsuit that the revenue share 4 were transfer payments that reflect compliance with 5 the Transfer Payment Accountability Directive and 6 the Management Board of Cabinet Act. 7 U/A MR. RATCLIFFE: We'll take that under 8 advisement. 9 MR. ROSENBERG: Counsel, you will 10 direct us to anything in your pleadings that raises 11 this issue? 12 MR. LISUS: Next exhibit. 13 MR. MATTHEWS: So the Transfer Payment 14 Accountability Directive, August 31, 2007, 15 Exhibit 20. 16 EXHIBIT NO. 20: Transfer Payment 17 Accountability Directive dated 18 August 31, 2007. 19 BY MR. LISUS: 20 1045 Q. So the reason I asked you these 21 questions, Mr. Orsini, is when we were looking at 22 Exhibit 19, which was the five-year proposed 23 approach, there's a reference to -- on page 2 -- 24 A. Is this the version I had earlier? 25 1046 Q. Yes, sir. On page 2 under the</p>	<p style="text-align: right;">Page 300</p> <p>1 MR. RATCLIFFE: No. 2 BY MR. LISUS: 3 1050 Q. Well, transfer payments were quite 4 strictly regulated by the management board 5 secretariat, right, Mr. Orsini? 6 A. I'm just reviewing this further. 7 1051 Q. You're not suggesting to me, sir, 8 that \$1.2 billion had been paid to the horse racing 9 industry as transfer payments without any kind of 10 compliance with the directive that we've looked at, 11 are you? 12 MR. RATCLIFFE: Mr. Lisus, I think he's 13 indicated he doesn't know the answer to your 14 question. And I'm wondering if this whole line of 15 question -- 16 BY MR. LISUS: 17 1052 Q. Yes, I'm corrected. It's actually 18 3.4 billion. 19 MR. RATCLIFFE: -- might be better 20 reserved to Ms. Yeigh on the actual 21 cross-examinations on the main part of the motion. 22 What the purpose behind these 23 examinations, as I understand from your material, 24 was to address whether or not the decision had been 25 made irrationally or in bad faith. That's the</p>
<p style="text-align: right;">Page 299</p> <p>1 heading "OLG," second bullet, it says: 2 "In year two, OLG or government 3 ministry will provide transfer 4 payment funding to the ministry." 5 Do you see that? 6 A. I see that reference. 7 1047 Q. So what I'm understanding from 8 that is as of the date of this five-year proposed 9 approach, there was no transfer payment funding to 10 the industry in place? 11 A. So as I understand this document, 12 it's talking about a potential future state. 13 1048 Q. And part of the potential future 14 state was to put into place transfer payment 15 funding; right? 16 A. That's what it's referred here, as 17 I read it. 18 1049 Q. Which suggests to me, sir, that as 19 of the date of this document, there was no transfer 20 payment funding in place; right? 21 MR. RATCLIFFE: Do you know the answer? 22 THE WITNESS: I'm not -- it doesn't 23 say -- my read of it doesn't say either way. 24 MR. LISUS: Do you know the answer, 25 Mr. Ratcliffe?</p>	<p style="text-align: right;">Page 301</p> <p>1 whole focus of your -- 2 MR. LISUS: That's one small part of 3 them. 4 MR. RATCLIFFE: -- of your defence, of 5 the summonses that were issued. So this issue, I 6 don't see how it has any bearing on the -- 7 MR. LISUS: The purpose of these 8 examinations is to put my best foot forward in 9 response to your motion and to put a record forward 10 in support of my cross-motion. 11 BY MR. LISUS: 12 1053 Q. And so I'm just wondering, sir, as 13 the Deputy Minister of Finance in December 2011 14 whether you would have been surprised to know that 15 \$3.4 billion in transfer payments had been paid 16 without compliance with the management board 17 directive on transfer payment accountability. It 18 seems unlikely, doesn't it? 19 A. The general context was is the 20 government getting better value for money and is 21 the accounting for the funds detailed in terms of 22 reporting. There was a number of context around is 23 the money flowing having the best benefits for the 24 sector. 25 1054 Q. I don't think that answers my</p>

<p style="text-align: right;">Page 302</p> <p>1 question, sir, but on the question of the 2 accounting for the money, we know already how the 3 monies paid to the industry were accounted for; 4 right? We know that already. We saw that 5 yesterday. 6 They were accounted for by OLG and 7 audited by KPMG as an operating expense of OLG to 8 earn a revenue and profit on its business 9 activities. That's how the SARP monies shared with 10 the industry were accounted for; right? 11 A. The issue of -- 12 1055 Q. Correct? Sorry, no, but do you 13 understand that? 14 A. The issue was how it was 15 benefitting the sector at large in terms of -- 16 1056 Q. Sir, I'm asking you a different 17 question. I'm asking you an accounting question. 18 \$3.4 billion of funds were shared with the industry 19 pursuant to the Slots at the Racetrack Program; 20 correct? 21 A. As of a certain date. 22 1057 Q. Right. 23 A. Yeah, at a certain date, because 24 every year it changes. 25 1058 Q. You and I can agree -- we looked</p>	<p style="text-align: right;">Page 304</p> <p>1 "Government to decide if OLG or 2 a government ministry will make 3 transfer payments to industry over 4 the four-year period." 5 Do you see that? 6 A. I see the reference, yes. 7 1062 Q. Okay. Can we agree, sir, that 8 that indicates that there weren't any transfer 9 payments in effect as of the date of this five-year 10 approach? 11 A. It's hard for me to comment. The 12 will could be tied to the four-year period. 13 1063 Q. Pardon? 14 A. I said the will -- 15 1064 Q. The will? 16 A. -- could be tied to the four-year 17 period, the duration. 18 1065 Q. All right. Are you aware, sir, 19 that in 2014 or so after funding was put in place, 20 transfer agreements were put in place in 2014? Do 21 you know that? 22 A. That I don't have offhand as to 23 the arrangements that were entered into in 2014. 24 1066 Q. Okay. When you -- I know you 25 don't recall any discussions, but was it your</p>
<p style="text-align: right;">Page 303</p> <p>1 at this yesterday -- that those funds were 2 accounted for by the Ministry of Finance's agent, 3 OLG, as a commission, an operating expense in the 4 nature of a commission; correct? 5 A. We had that conversation 6 yesterday. 7 1059 Q. That's what the financial 8 statements, as audited by KPMG, demonstrate; right? 9 A. Again, we had that conversation 10 yesterday. 11 1060 Q. So can you and I agree, sir, that 12 there is no way that these funds which were 13 recorded by OLG as an operating expense to generate 14 revenue and profit were also reported as a transfer 15 payment by the government? 16 MR. RATCLIFFE: You are asking him a 17 question. I think he has indicated that he doesn't 18 know the answer to that. You're asking a technical 19 question in terms of whether it's a transfer 20 payment or not, and I would say move on to your 21 next question. 22 BY MR. LISUS: 23 1061 Q. And my next question is about this 24 next decision point in the deck at the bottom of 25 page 2 where it says:</p>	<p style="text-align: right;">Page 305</p> <p>1 understanding in December 2011 that Finance was 2 proposing a five-year phased approach to, in part, 3 mitigate the consequences of a reduction in revenue 4 shared with the horse racing industry? 5 A. At the time of this proposal, one 6 of the options that Finance put forth was that. 7 1067 Q. I take it that it was a five-year 8 phase-out to mitigate the consequences of a loss of 9 revenue over five years; right? 10 A. It was also tied to the savings 11 that the government was looking for as part of the 12 whole budget deliberations. 13 1068 Q. Fair enough. Both factors -- both 14 were a factor; fair? 15 A. I think as the deck points out, it 16 listed all the considerations that they were 17 assessing at the time. 18 1069 Q. Okay. So your understanding is 19 the deck listed all the considerations they were 20 assessing at the time? 21 A. I think staff put forward their 22 assessment of the proposal. 23 MR. RATCLIFFE: Take a moment and 24 review the deck. 25 BY MR. LISUS:</p>

<p style="text-align: right;">Page 306</p> <p>1 1070 Q. Okay. Now, attached to the deck 2 as well is a draft Cabinet minute. Do you see 3 that? 4 A. I see on page 885, a working 5 draft. 6 1071 Q. All right. And this is the 7 Cabinet minute which staff proposed be presented to 8 the Cabinet; right? 9 A. This was a working draft. 10 1072 Q. Okay. In particular, what Finance 11 proposed here was the Ministry of Finance in 12 consultation with OLG, the Ontario Racing 13 Commission, and relevant ministries review the 14 government's financial support to the horse racing 15 industry -- 16 A. Could you cite the number for me? 17 MR. RATCLIFFE: Which paragraph are you 18 at? 19 BY MR. LISUS: 20 1073 Q. Number 3. 21 A. Number 3. Okay. Sorry. 22 1074 Q. Take a minute. 23 A. A different page 3. 24 1075 Q. Let's look at it together. The 25 draft Cabinet minute says:</p>	<p style="text-align: right;">Page 308</p> <p>1 because it's putting it right in the Cabinet 2 minute. 3 A. There's broader considerations. 4 Budget secrecy is often part of the considerations 5 of when to consult or when to engage. You can 6 engage someone up to one stage, then you go into 7 budget secrecy, and then you can begin to engage 8 after budget secrecy. 9 But that is part of the "as 10 appropriate." I'm not sure exactly the intent 11 behind "as appropriate," but it could be because of 12 budget secrecy. 13 1079 Q. We see that this draft Cabinet 14 minute talks about consultation. And by the way, 15 the Ministry of Finance officials who prepared this 16 would have been very well familiar with Cabinet 17 secrecy; right? 18 A. Cabinet secrecy, yes, and budget 19 secrecy. 20 1080 Q. Right. Excuse me, Cabinet secrecy 21 and budget secrecy; right? 22 A. They may not have the 23 authorization when to invoke budget secrecy. 24 1081 Q. But they're familiar with budget 25 secrecy?</p>
<p style="text-align: right;">Page 307</p> <p>1 "MOF, Ministry of Finance, in 2 consultation with OLG, the Ontario 3 Racing Commission, and relevant 4 ministries review the government's 5 financial support to the horse 6 racing industry from the Slots at 7 Racetrack Program and 1996 8 Pari-Mutuel Tax Reduction." 9 A. I see reference to that. 10 1076 Q. Okay. And the recommendation at 11 that point of Finance was to review with the ORC; 12 right? 13 A. In consultation with. 14 1077 Q. Right. And we saw yesterday that 15 there was, just a few months before this package of 16 December 2011, a Memorandum of Understanding signed 17 between the ORC and the Ministry of Finance 18 pursuant to which the Ministry of Finance agreed to 19 consult with the ORC about any policy changes; 20 right? 21 A. As appropriate, if I recall 22 correctly. 23 1078 Q. Right. Well, certainly Ministry 24 of Finance appears to have thought in December 2011 25 that it was appropriate to consult with the ORC</p>	<p style="text-align: right;">Page 309</p> <p>1 A. They would be subject to budget 2 secrecy, but they, themselves, wouldn't have 3 the authority to declare or insist on budget 4 secrecy. 5 1082 Q. You were their boss at this point. 6 You're the deputy minister; right? 7 A. If this is the time -- or the 8 associate. 9 1083 Q. And we see that this minute sets 10 out a series of steps and including at C: 11 "Appointing a provincial lead 12 to work with the industry in 2012 to 13 '13 to produce a five-year plan that 14 achieves industry sustainability for 15 2016 to '17." 16 Do you see that? 17 A. I see that reference, yes. 18 1084 Q. And D: 19 "Ministry of Finance and any 20 relevant ministries to develop a 21 proposed transfer payment program to 22 fund the horse racing industry 23 beginning in 2013 and '14." 24 Do you see that? 25 A. I see that reference.</p>

<p style="text-align: right;">Page 310</p> <p>1 1085 Q. Do you recall in the OLG 2 recommendation that we looked at yesterday 3 reference to a transfer payment funding mechanism 4 after it had implemented its decision to locate 5 slots out of racetracks and in cities? Do you 6 recall seeing that? 7 A. You said "implement its decision." 8 I don't think -- 9 1086 Q. Its recommendation. 10 A. It's the government that makes the 11 decision. 12 1087 Q. Right. Implement its 13 recommendation to locate slot machines out of 14 racetracks -- 15 A. Subject to the government's 16 decision, they would then implement the 17 government's decision at that time. 18 1088 Q. Right. I'm just asking you, sir, 19 do you remember OLG talking about putting a 20 transfer payment funding system in place? 21 A. I can't recall exactly the words. 22 1089 Q. Okay. And if we see under D: 23 "Obtain Treasury Board 24 management board approval for 25 proposed transfer payment programs</p>	<p style="text-align: right;">Page 312</p> <p>1 1093 Q. Do you recall what your 2 understanding was in December of 2011 of what the 3 consequences to the horse racing sector -- in 4 particular, breeders -- would be of a five-year 5 phase-out of the Slots at Racetrack Program? 6 A. The understanding that the sector 7 would act negatively towards it. 8 1094 Q. But apart from how the sector 9 would react, did you have an understanding of what 10 the actual consequences would be on the sector's 11 investment in their horses and breeding operations? 12 A. I didn't have the specifics of 13 what that would entail. 14 1095 Q. All right. Did you have any 15 general understanding of what -- 16 A. It would have reduced the 17 footprint of the sector, is a general 18 understanding. 19 1096 Q. Right. And at that time in 20 December 2011, were you in communication with 21 Mr. Drummond? 22 A. Yes. 23 1097 Q. Okay. And were you -- 24 A. Are we on a different topic? 25 1098 Q. Yes, sir.</p>
<p style="text-align: right;">Page 311</p> <p>1 to fund the horse racing industry 2 and reporting back to Cabinet by 3 late 2012 on the proposed transfer 4 payment programs." 5 Do you see that? This is all in the proposed 6 Cabinet minute. 7 A. I'm just reading the report back. 8 Oh, page 5. I see that reference, yes. 9 1090 Q. Okay. So what the Finance staff 10 were doing was making recommendations for a Cabinet 11 minute to put in place a transfer payment program 12 to replace the revenue stream that was currently 13 flowing to the horse racing sector pursuant to the 14 Slots at Racetrack Program revenue-sharing 15 agreement; right? 16 A. So that is the proposal that is 17 contained in this working draft minute. 18 1091 Q. Correct. And that draft minute is 19 part of Exhibit 19; correct? 20 MR. MATTHEWS: Yes. 21 BY MR. LISUS: 22 1092 Q. Do you recall what your reaction 23 was to that proposal? 24 A. I don't recall my reaction. I was 25 being briefed on the options staff were working on.</p>	<p style="text-align: right;">Page 313</p> <p>1 A. Because I wouldn't mind taking a 2 short break. 3 1099 Q. That's fine. 4 -- Recess at 11:03 a.m. -- 5 -- Upon resuming at 11:06 a.m. -- 6 BY MR. LISUS: 7 1100 Q. You were speaking with 8 Mr. Drummond in December 2012; correct? 9 A. I spoke to him a number of times. 10 1101 Q. And I think you told me yesterday, 11 sir, that you did not speak with him about the 12 elimination of the Slots at Racetrack Program 13 revenue share? 14 A. We talked about a number of 15 topics, and he felt that we could do a lot better 16 in getting value for money in a whole bunch of 17 areas. 18 1102 Q. Okay. But you don't 19 specifically -- 20 A. I don't recall specifically ending 21 the Slots at Racetrack Program other than to say -- 22 to generate significant benefits or savings from 23 the Slots at Racetrack Program. When we spoke, we 24 covered a lot of different topics. 25 1103 Q. You're aware that Mr. Drummond</p>

Page 314	Page 316
<p>1 testified that he did not recommend the elimination 2 of the Slots at Racetrack Program revenue share? 3 A. You mentioned that yesterday. 4 MR. ROSENBERG: You asked these 5 questions yesterday. 6 BY MR. LISUS: 7 1104 Q. You testified that his report 8 said -- did not say to end the arrangement or to 9 change it in some particular fashion. You're aware 10 of that? 11 A. You're going to have to refer to 12 the recommendations because -- 13 1105 Q. This is what he said: 14 "The recommendations dealing 15 with this issue are very atypical of 16 the 366 recommendations. In almost 17 every case, they're very precise, 18 and they're very action-oriented, 19 and this one is not, and it stands 20 out in that regard. It says to do 21 an evaluation of the arrangement. 22 It does not say to end the 23 arrangement or to change it in some 24 particular fashion, so it didn't 25 automatically by itself lead to an</p>	<p>1 did -- explicitly in that one aspect I did. 2 1108 Q. All right. I want to show you 3 CRE18318. It's an email from Ben Valido, and it 4 says: 5 "Hi Morris, we had a briefing 6 with our DM this week, and we're 7 proposing the following text replace 8 current text in Chapter 10 and 10-8 9 recommendation re horse racing 10 industry." 11 Do you see that? 12 A. I see that. 13 1109 Q. You were the DM; right? 14 A. At that time. 15 1110 Q. Right. And so what the proposed 16 language is: 17 "In terms of provincial 18 business subsidies for 2011 to 2012, 19 Ontario's economic development 20 programs for business is estimated 21 at 315 million, and for the 22 agriculture is 163 million. 23 The government's total direct 24 business support programming funds 25 are 845 million for 2011 to '12</p>
<p>1 action whereas the others were 2 intended to lead to a specific 3 action." 4 That's what Mr. Drummond testified to. 5 MR. RATCLIFFE: Well, Mr. Orsini said 6 he didn't recall exactly what he had said, and it's 7 there in the transcript, so... 8 THE WITNESS: I think his report had 9 recommendations in this area that I would refer you 10 to. 11 BY MR. LISUS: 12 1106 Q. Okay. But you understood, though, 13 sir, which is what I'm trying to understand, in 14 December of 2011 that Mr. Drummond did not 15 recommend any specific changes to the Slots at 16 Racetrack Program revenue share; correct? 17 A. In our conversations then -- his 18 report was completed in February, so there was 19 still reviews going on. I can't say exactly when I 20 had conversations on it, other than he did say that 21 there could be savings available to the government. 22 1107 Q. Okay. And did Finance staff make 23 proposals for the language to be included in 24 Mr. Drummond's report? 25 A. We commented on the report. And I</p>	<p>1 which supports 50 programs across 2 seven government ministries." 3 Do you see that? 4 A. I see that reference. 5 1111 Q. Now, what was the Ontario's 6 economic development programs? What were those? 7 A. I don't know offhand. There was a 8 compilation of different programs. 9 1112 Q. Are those the programs that we're 10 going to see summarized in Project 76? 11 A. It doesn't reference Project 76, 12 so I can't say it is or isn't. 13 1113 Q. Okay. Was the Slots at Racetrack 14 Program identified in any government records as one 15 of Ontario's economic development programs? 16 A. I can't recall whether that was 17 part of it or not. 18 1114 Q. There must have been, sir, a 19 process pursuant to which funds were disbursed to a 20 recipient under the auspices of the Ontario 21 economic development program; correct? 22 A. Repeat that. 23 1115 Q. There must have been a process to 24 which recipients applied for and received funding 25 under Ontario's economic development programs;</p>

Page 318

1 right?

2 A. There's a variety of different

3 programs.

4 1116 Q. Right.

5 A. Yes.

6 1117 Q. There must have been records

7 pursuant to which those programs were administered;

8 right?

9 A. I'm sure there would be some type

10 of documentation identifying the program's

11 eligibility criteria and so forth.

12 1118 Q. Who received funds for what

13 purpose over what period of time; correct?

14 A. There would be that type of

15 information.

16 1119 Q. Who would keep that type of

17 information?

18 A. Depending on the lead ministry.

19 So if it's economic development and growth, which

20 is their current title -- it might have been

21 different back then -- they would have been

22 tracking their programs. If it was agriculture and

23 food and rural affairs, they would be tracking

24 their programs.

25 MR. LISUS: I would like you,

Page 319

1 Mr. Ratcliffe, to undertake to inform me whether at

2 any time between the inception of SARP and its

3 termination revenue sharing with the horse racing

4 industry was identified in any ministry's economic

5 development program, and if it was, to produce the

6 documents that reflect that.

7 U/A MR. RATCLIFFE: I'll take your request

8 under advisement.

9 MR. LISUS: Is it your position,

10 Mr. Ratcliffe, in this lawsuit that the revenue

11 share at Slots at Racetrack Program was a business

12 subsidy?

13 MR. RATCLIFFE: Under the regime,

14 funding was provided to the horse people under --

15 you know, under SARP. And I'm not sure what your

16 question is then. What are you asking?

17 MR. LISUS: The question is is it

18 Ontario's position that the funds shared pursuant

19 to Slots at Racetrack Program was a provincial

20 business subsidy?

21 MR. RATCLIFFE: Our position is that

22 the decision to terminate SARP was a policy

23 decision made properly, and it was properly done.

24 So the particular question you're asking, I don't

25 know that it has any bearing on the legal issues in

Page 320

1 play here at all.

2 MR. LISUS: Is it Ontario's position

3 that funds shared with the horse racing industry

4 from the Slots at Racetrack Program was a subsidy?

5 MR. RATCLIFFE: I don't have a position

6 on that in terms of how you would characterize it.

7 Certainly funding was provided. And the use of the

8 word "subsidy" can have a very specific meaning or

9 not.

10 MR. LISUS: Funding was provided by

11 who?

12 MR. RATCLIFFE: Funding was provided

13 under the Slots at Racetrack Program, and it was

14 with a termination of SARP that funding arrangement

15 came to an end.

16 MR. LISUS: Is it your position that

17 the funds shared with the horse racing industry

18 were in the nature of a subsidy under any

19 government program, including the transfer payment

20 system, the economic development program, or any

21 other established government program?

22 MR. ROSENBERG: Counsel, this isn't a

23 discovery. I don't understand why --

24 MR. LISUS: Excuse me, Mr. Rosenberg.

25 This is not your witness, and Mr. Ratcliffe can

Page 321

1 speak for himself. Don't interrupt.

2 MR. RATCLIFFE: I'll take your question

3 under advisement. I'm not going to provide you

4 with an answer there today.

5 MR. LISUS: You know I'm entitled to

6 the Crown's position on this.

7 MR. RATCLIFFE: What's that?

8 MR. LISUS: I am entitled to the

9 Crown's position.

10 U/A MR. RATCLIFFE: Well, that's fine.

11 I'll take it under advisement, and we'll get back

12 to you one way or another.

13 BY MR. LISUS:

14 1120 Q. In December of 2011, were you

15 involved in any briefings with Dalton McGuinty

16 about the revenue sharing in the Slots at Racetrack

17 Program?

18 A. No, I don't recall that.

19 1121 Q. Were you involved in any briefings

20 with Minister Duncan about the Slots at Racetrack

21 Program in December 2011?

22 A. That I don't recall.

23 1122 Q. Okay. Now, I want to show you

24 another document dated December 28, 2011.

25 A. December 28?

		Page 322			Page 324
1	1123	Q. Yes, sir. So just to orient	1		"Payments under SARP continue
2		you --	2		for 2012 to 2013, and beginning in
3		MR. LISUS: Yes, the last document is	3		2013, OLG returns funds to the
4		the next exhibit in sequence.	4		consolidated revenue fund for
5		MR. MATTHEWS: This is CRE18318,	5		distribution by government to the
6		Exhibit 21.	6		industry via transfer payments."
7		EXHIBIT NO. 21: CRE0018318.	7		Right? Do you see that?
8		BY MR. LISUS:	8		MR. RATCLIFFE: Which paragraph? The
9	1124	Q. We saw that on December 12th,	9		second column?
10		you're being briefed on a five-year phase-out. Do	10		BY MR. LISUS:
11		you remember that?	11	1133	Q. The middle column, second bullet.
12		A. You showed me the document.	12		A. I see the reference, yes.
13	1125	Q. Right. We're now at December 28,	13	1134	Q. All right. So what's being
14		and we are seeing a slide being sent to	14		proposed there is that the revenue generated by the
15		Barry Goodwin, Barbara Hewett, Elizabeth Yeigh,	15		slot machines at racetracks or casinos go to OLG,
16		Tanya Watkins, and it says:	16		OLG sends the revenue up to the government,
17		"Note this slide has been	17		consolidate a revenue fund, and the consolidated
18		approved by the ADMO."	18		revenue fund pursuant to transfer payment
19		What is that?	19		agreements makes transfer payments to the horse
20		A. That's the assistant deputy	20		racing industry; correct?
21		minister's office.	21		A. This looks like it's proposing a
22	1126	Q. Okay. And the assistant deputy	22		change in how the funds flow to the sector.
23		minister was Mr. Goodwin?	23	1135	Q. In the manner that I just
24		A. That's correct.	24		described; right?
25	1127	Q. And he reported to you; right?	25		A. Yes.
Page 323			Page 325		
1		A. That's correct.	1	1136	Q. Okay. And it says in the third
2	1128	Q. All right. If we look over the	2		bullet:
3		page, we see that what appears to be proposed here	3		"By 2015 and 2016, the industry
4		by OLG is a horse racing proposed approach. This	4		receives 100 million in annual
5		is OLGSB2316. Take a look at the proposed	5		transfer payments from government."
6		approach.	6		Right?
7		A. Okay. I'm just reviewing it now.	7		A. It says -- the third bullet point,
8	1129	Q. Sure. It may be -- I'm informed	8		yes, I see the reference.
9		that the documents indicate that Finance generated	9	1137	Q. All right. Do you recall, sir, at
10		this proposal, put it on an OLG deck, and	10		the end of December receiving this proposal from
11		circulated it. Okay. So --	11		Finance staff?
12		A. I can't confirm that.	12		A. I'm not copied on the email, but
13	1130	Q. I know that. I'm just correcting	13		as I pointed out earlier, they were looking at a
14		the record.	14		number of options.
15		So this is a Finance proposal on an OLG	15	1138	Q. Okay. Well, we've seen the
16		deck. So you've seen the proposal?	16		five-year phase-out. Now we're seeing a three-year
17		A. I've reviewed it.	17		proposed approach; right?
18	1131	Q. All right. And the proposal there	18		A. Right.
19		is that the government announces the end of the	19	1139	Q. Okay. And all of the options that
20		Slots at Racetrack Program and introduces a	20		were being seriously considered, as we're seeing,
21		three-year plan to assist the industry in becoming	21		were escalated up to certainly the deputy minister
22		viable with reduced government support. Do you see	22		level; correct?
23		that?	23		A. Yes. I'd be one of the
24		A. That's the essential proposal.	24		recipients.
25	1132	Q. And it says that:	25	1140	Q. You would be one of the

Page 326		Page 328	
1	recipients; right?	1	have been prepared for briefing the Premier.
2	A. Yes.	2	MR. RATCLIFFE: Take a moment to review
3	1141 Q. Do you also see in the deck at the	3	the deck.
4	bottom right-hand corner where it says:	4	BY MR. LISUS:
5	"Horse racing in Quebec	5	1150 Q. Now, if we look at page 16 of the
6	collapsed at the end of 2008 when	6	deck, it says at the top:
7	the Quebec government abruptly	7	"In development of these new
8	stopped support to the horse racing	8	proposals, OLG drew on extensive
9	industry with slots."	9	stakeholder consultation and market
10	A. I do see that reference.	10	intelligence."
11	1142 Q. Do you recall being aware, sir, in	11	Do you see that?
12	December of 2011 that the Quebec horse racing	12	A. Just give me a second to find the
13	industry had collapsed when revenue share with	13	page. I see the title, yes.
14	slots was abruptly stopped?	14	1151 Q. All right. So was it your
15	A. Repeat that.	15	understanding, sir, as part of the Ministry of
16	1143 Q. Do you recall being aware in	16	Finance that as of December 2011, January 2012,
17	December 2011 or early 2012 that the horse racing	17	that OLG had drawn on extensive stakeholder
18	industry in Quebec had collapsed as a result of the	18	consultation and market intelligence?
19	government abruptly stopping sharing revenue from	19	A. I wouldn't be surprised by the
20	slots?	20	fact that they were actively engaged, had
21	A. So that point was made in the	21	consultants on board.
22	context. Different sector, different circumstance	22	1152 Q. Right. You would have expected
23	between Ontario --	23	them to have done so having regard to the
24	1144 Q. Different sector?	24	consequences of the recommendations they were
25	A. With different jurisdiction.	25	making; right?
Page 327		Page 329	
1	1145 Q. Different province you mean?	1	A. The scope of their modernization
2	A. Different province but also a	2	in terms of their land-based casinos, a number of
3	different type of profile.	3	things they were looking at. The premise was
4	1146 Q. What was different?	4	looking at changing their footprint.
5	A. In terms of the Pari-Mutuel	5	1153 Q. And also you understood that as
6	support, in terms of the size that the -- the	6	part of the stakeholder consultation and analysis,
7	significance of one big racetrack in Toronto --	7	they had discussed the proposal as it says with
8	Ontario versus Quebec, that the profile sector	8	ongoing ORC work to improve accountability and
9	differed. The point being, though, it did go	9	performance in the horse racing sector. Do you see
10	through a major restructuring as a result of the	10	that on the slide under 1? Cross-referenced
11	changes in Quebec.	11	with ongoing ORC work --
12	1147 Q. Okay.	12	A. I see that reference, yes.
13	MR. LISUS: That's the next exhibit.	13	1154 Q. All right. And so I take it, sir,
14	MR. MATTHEWS: I believe we're at 22.	14	that you as the deputy minister and being new to
15	This is OLGSB2315 and 2316.	15	this portfolio took some comfort in what you
16	EXHIBIT NO. 22: OLGSB0002315 and	16	understood to have been a very thorough and
17	OLGSB0002316.	17	extensive consultation process undertaken by the
18	BY MR. LISUS:	18	OLG with stakeholders, including the horse racing
19	1148 Q. I want to show you OLG1359, which	19	industry and ORC, about the changes which were
20	is a January 3, 2012, slide deck. It's called the	20	being presented to you as a recommended approach?
21	Premier Deck.	21	A. We would have expected that they
22	MR. MATTHEWS: This was Exhibit 5 on	22	engage the sector.
23	Mr. Bardeesy's examination.	23	1155 Q. And the regulator of the sector;
24	BY MR. LISUS:	24	right?
25	1149 Q. This is a deck that appears to	25	A. And the regulator of the sector.

<p style="text-align: right;">Page 330</p> <p>1 1156 Q. Because that's good policy making; 2 right? 3 A. I think as part of any 4 understanding, you'd want to understand the 5 environment. 6 1157 Q. All right. And what we see here 7 proposed under the horse racing recommended 8 approach is on page 21 of the deck? 9 A. Are you saying this is an OLG 10 deck? 11 1158 Q. Yes, it's an OLG deck that was 12 sent to the Premier's office. 13 A. Okay. I haven't seen this deck. 14 1159 Q. Right. We see here that what OLG 15 is recommending is a proposed approach whereby 16 government announces end of SARP and introduces a 17 three-year plan to assist the industry in becoming 18 viable with reduced government support. 19 MR. RATCLIFFE: Which bullet point and 20 which column are you referring to? 21 THE WITNESS: It's similar to the 22 slide. I don't know if it's identical, but it 23 looks similar to the one we talked about earlier. 24 BY MR. LISUS: 25 1160 Q. It's the same one. Seems to be</p>	<p style="text-align: right;">Page 332</p> <p>1 1166 Q. And you understood and expected 2 that the stakeholder -- the extensive stakeholder 3 consultation process, which had been referred to, 4 included consultation with the stakeholders who 5 would be affected by the proposed recommendations; 6 right? 7 A. That's correct. 8 1167 Q. All right. And you relied on the 9 OLG people who were involved in the process to have 10 done that? 11 A. I would have understood they had 12 some level of engagement with the sector. 13 1168 Q. And you would also have relied, I 14 presume, on Finance staffers to have done the 15 necessary consultation and analysis of impacts of 16 proposed recommendation? 17 A. They would have spoken to a number 18 of folks and used whatever information they had 19 available to them. 20 1169 Q. Okay. And I just want to read you 21 Mr. Phillips' testimony about what OLG had, in 22 fact, done in November. 23 Q. "And although you have done 24 quite a lot of study in support of 25 the recommendations that were</p>
<p style="text-align: right;">Page 331</p> <p>1 the same one. 2 A. Yeah. 3 1161 Q. Step down -- 4 A. I didn't do a word check, but it 5 looks similar. 6 1162 Q. Step down commencing 2012, and 7 then \$100 million in annual transfer payments. 8 A. I see that reference. 9 1163 Q. You understood as the deputy 10 minister that because OLG was saying it had 11 undertaken extensive stakeholder consultation, 12 including with the regulator, that it had measured 13 or understood what the impact would be of the 14 changes it was proposing; right? 15 A. I'm not sure I understand the 16 question. Could you repeat it? 17 1164 Q. I'm simply saying you came into 18 this process once it was well underway in 19 mid-December 2011 as the deputy minister; correct? 20 A. Correct. 21 1165 Q. And you had seen or were aware of 22 proposals being put forward by Finance and OLG for 23 changes to the revenue-sharing arrangement; 24 correct? 25 A. That's correct.</p>	<p style="text-align: right;">Page 333</p> <p>1 made -- we discussed them, June, 2 October, November -- you hadn't done 3 a study of what the impact would be 4 with cessation of sharing of SARP 5 revenue; correct? 6 A. That's correct. 7 Q. And neither had the government? 8 A. Not that I'm aware of. 9 Q. All that was known at the time 10 that this direction was given was 11 that there would likely have been a 12 collapse of the horse racing 13 industry? 14 A. If the funding was withdrawn 15 completely. 16 Q. And that, in fact, happened in 17 Quebec? 18 A. Yes." 19 So it would appear that someone at OLG appears to 20 have known that if funding was withdrawn 21 completely, the industry would collapse. Does that 22 come as a surprise to you? 23 A. I think there's a variety of views 24 as to how the industry would react. 25 1170 Q. Well, Mr. Phillips is pretty clear</p>

<p style="text-align: right;">Page 334</p> <p>1 that OLG understood that if funding was withdrawn 2 completely, the industry would collapse. That's 3 what he testified to. 4 A. He also said he didn't review it. 5 1171 Q. Okay. The deck says that when it 6 was withdrawn in Quebec, the industry collapsed; 7 right? It doesn't qualify that in any way? 8 A. In our conversations, the point 9 was raised and the question was asked, well, are 10 they the same type of economic activity -- 11 1172 Q. And so you had -- 12 A. -- different wagering, different 13 reliance. Some tracks were very successful, very 14 successful, relied on less Slots at Racetrack 15 revenue. Some were dependent on it. 16 And so it wouldn't translate exactly 17 what happened in Quebec to Ontario, and that's 18 what -- the reason why I asked the ministry to look 19 at what it would do. 20 1173 Q. Okay. To return to what we said 21 earlier, you understood, sir, as the deputy 22 minister in late 2011, early 2012 that the folks at 23 OLG had undertaken their consultation and analysis, 24 including expert analysis, and the Ministry of 25 Finance had done the same thing; right?</p>	<p style="text-align: right;">Page 336</p> <p>1 forward. 2 1179 Q. All right. And we saw from the 3 prior deck that the approach that your ministry was 4 putting forward was a five-year phase-out approach; 5 right? 6 A. That was the approach they were 7 proposing at that time. 8 1180 Q. Okay. "They" being the Ministry 9 of Finance at that time; right? 10 A. At that time. 11 MR. LISUS: Next exhibit. 12 MR. ROSENBERG: For identification 13 only. I think that this witness -- 14 THE WITNESS: I did not see that deck. 15 I wasn't copied. 16 MR. ROSENBERG: And Mr. Bardeesy wasn't 17 able to recall it either. 18 THE WITNESS: I didn't see Ministry of 19 Finance as part of that email trail. 20 MR. MATTHEWS: All right. So it will 21 be Exhibit G. 22 EXHIBIT NO. G for Identification: 23 OLGSB0001359 and OLGSB0001360. 24 BY MR. LISUS: 25 1181 Q. Now, I want to show you the next</p>
<p style="text-align: right;">Page 335</p> <p>1 A. We had done review based on the 2 information we had. 3 1174 Q. Okay. So we can see that as of 4 December 28, the horse racing recommended approach 5 is the phase-out and \$100 million annual transfer 6 payments; right? 7 A. That's the option that's on this 8 page, yes. 9 1175 Q. All right. In fairness, sir, it 10 is the proposed approach that is presented; 11 correct? 12 A. As we were going through the 13 budget process, we were always asked to whether or 14 not there could be further savings to meet our 15 fiscal targets. 16 1176 Q. I should rephrase. It is the 17 recommended approach; correct? 18 A. From OLG you're saying? 19 1177 Q. Yes. 20 A. That's the OLG deck. 21 1178 Q. It's the recommended approach. 22 I'm looking at the words on the page, sir. Can you 23 agree with me that that's what it says? 24 A. I'm looking at the page. At the 25 time, that was the approach they were putting</p>	<p style="text-align: right;">Page 337</p> <p>1 deck here, sir. We're now on the 19th of January 2 2012, CRE214397. And this is entitled -- the 3 subject is "Material DM Briefing." You're the 4 deputy minister on January 19? 5 A. That's correct. Of 2012. 6 1182 Q. Correct. And this deck you would 7 have seen, right, because you were briefed on it? 8 A. And this was leading up to a 9 Cabinet committee. 10 1183 Q. Yes, because -- 11 A. I would have seen a deck. Whether 12 this is the exact one -- these decks get tweaked on 13 a regular basis, so I'm presuming based on the 14 email trail, I would have seen this deck or 15 something comparable. 16 1184 Q. All right. And this is gaming 17 optimization committee deck, DMFPC. That's deputy 18 minister fiscal prep committee; right? 19 A. Deputy minister taking to the 20 fiscal prep committee. Correct. 21 1185 Q. So this is the deck that likely 22 went with you to the fiscal prep committee; 23 correct? 24 A. I would imagine -- 25 1186 Q. Or was going to go with you to the</p>

Page 338

1 fiscal prep committee as of 19 January 2012; right?
 2 A. Correct.
 3 1187 Q. This is a deck composed by the
 4 jobs and economic policy committee; right?
 5 A. This is a deck that would have
 6 gone to the jobs and economic policy committee.
 7 1188 Q. For the purposes of making
 8 proposals and giving you information about the
 9 impacts of those proposals; right?
 10 A. This would be providing feedback,
 11 reaction, direction.
 12 1189 Q. Right. Including proposed
 13 financial impacts; right?
 14 A. This is a Cabinet committee, if I
 15 understand correctly, so the Cabinet committee
 16 wouldn't give us financial impacts.
 17 1190 Q. Sir, I'm looking at the document.
 18 Okay? On Slide 12, it says "proposed financial
 19 impacts." On Slide 13, it says "economic impact."
 20 MR. RATCLIFFE: Well, give Mr. Orsini a
 21 moment to --
 22 THE WITNESS: You're asking me whether
 23 this would be presented to the committee. I
 24 understood you to say the committee would be
 25 providing economic financial feedback. So I just

Page 339

1 wanted to be clear.
 2 BY MR. LISUS:
 3 1191 Q. This is a deck composed, I
 4 understand, by the Ministry of Finance jobs and
 5 economic policy committee; is that correct?
 6 A. This is a deck that was prepared
 7 for this committee --
 8 1192 Q. Okay.
 9 A. -- that was going to a fiscal prep
 10 committee to review before it went to the jobs and
 11 economic policy committee of Cabinet.
 12 1193 Q. Okay.
 13 A. So there is a number of steps
 14 along the way before material went to Cabinet.
 15 1194 Q. Okay.
 16 A. This would be one of the steps
 17 along the way. That's why it kept getting revised.
 18 1195 Q. So this was the deck that was
 19 going to go to the jobs and economic policy
 20 committee?
 21 A. That's correct.
 22 1196 Q. All right.
 23 A. Based on what you showed me -- I
 24 can't recall exactly -- this would have been
 25 presented at that time to the fiscal prep

Page 340

1 committee.
 2 1197 Q. And who would be on the fiscal
 3 prep committee?
 4 A. That would be senior Premier's
 5 office and senior Cabinet office people.
 6 1198 Q. Including you?
 7 A. I was not on that committee, but I
 8 would be presenting.
 9 1199 Q. Okay.
 10 A. I think this committee I would be
 11 a regular attendee, but it wasn't my committee to
 12 chair or cochair.
 13 1200 Q. So this is a proposal; correct?
 14 A. I would say yes.
 15 1201 Q. And --
 16 A. A draft proposal.
 17 1202 Q. Right. And on the first slide,
 18 1D, summary of proposal:
 19 "End the Slots at Racetrack
 20 Program and establish a transfer
 21 payment program to provide ongoing
 22 funding to the horse racing
 23 industry."
 24 Right?
 25 A. That's what it says in the deck.

Page 341

1 1203 Q. Okay. And if we go over to this
 2 fourth slide, which is initiative 1B; right? Do
 3 you see that?
 4 A. No, I need to go -- initiative 1B.
 5 I need to go on the screen.
 6 MR. RATCLIFFE: Take a moment to read
 7 the --
 8 THE WITNESS: And what are you asking
 9 me to look at, in particular?
 10 BY MR. LISUS:
 11 1204 Q. Look at -- initiative 1A is expand
 12 the land-based gaming sites; correct?
 13 A. Right. So this is a broad OLG
 14 modernization.
 15 1205 Q. Correct. And then initiative 1B
 16 is one aspect of the implementation of that
 17 expansion; correct?
 18 A. Correct.
 19 1206 Q. All right. And initiative 1B
 20 talks about end Slots at Racetrack Program; right?
 21 And the only point I want to make here, sir, is
 22 that at this meeting, the recommended course of
 23 action was a phased reduction over three years with
 24 annual transfer payments of \$100 million beginning
 25 2015-16. It's the same recommended course of

<p style="text-align: right;">Page 342</p> <p>1 action we saw in the prior document; right?</p> <p>2 A. It looks similar.</p> <p>3 1207 Q. And we know that a month has</p> <p>4 passed -- well, almost a month. December 28 to</p> <p>5 January 19 has passed, and this continues to be the</p> <p>6 recommended course of action; right?</p> <p>7 A. At that time, yes.</p> <p>8 1208 Q. All right. Initiative 1A we</p> <p>9 talked about a second ago, which was the broader</p> <p>10 OLG modernization process; correct?</p> <p>11 A. Expanding land-based gaming sites.</p> <p>12 1209 Q. Yes. As we discussed a few</p> <p>13 minutes ago, it was your understanding that OLG had</p> <p>14 completed its extensive consultation with</p> <p>15 stakeholders process with respect to the expansion</p> <p>16 of land-based gaming and the consequences of its</p> <p>17 recommendations; right?</p> <p>18 A. I don't know if I'd go as far as</p> <p>19 to say "completed." There were ongoing</p> <p>20 discussions, even to the point in terms of talking</p> <p>21 to individual municipalities in terms of locating</p> <p>22 gaming sites. I can't attest to the fact that</p> <p>23 they've exhausted all their options.</p> <p>24 1210 Q. So you thought that they may</p> <p>25 still, in fact, be consulting --</p>	<p style="text-align: right;">Page 344</p> <p>1 which included senior officials of the Cabinet</p> <p>2 office and the Premier --</p> <p>3 A. No, no, not the Premier. This</p> <p>4 fiscal prep is senior people in the Premier's</p> <p>5 office.</p> <p>6 1216 Q. But not him?</p> <p>7 A. But not the Premier.</p> <p>8 1217 Q. Do you know that for a fact?</p> <p>9 A. Yes.</p> <p>10 1218 Q. Okay.</p> <p>11 A. Fiscal prep committee has no</p> <p>12 elected officials.</p> <p>13 1219 Q. Okay. What about Mr. Gene? Would</p> <p>14 he have been there?</p> <p>15 A. He would not have been.</p> <p>16 1220 Q. Who would have been there from the</p> <p>17 Premier's office? Mr. Bardeesy?</p> <p>18 A. Karim Bardeesy would have been in</p> <p>19 attendance. I'd say it's cochaired by the</p> <p>20 secretary Cabinet.</p> <p>21 1221 Q. Who is that?</p> <p>22 A. It would have been Peter Wallace</p> <p>23 at the time. And the principal secretary to the</p> <p>24 Premier, that could have been Chris Morin (ph).</p> <p>25 1222 Q. Okay. Jamison Steeve?</p>
<p style="text-align: right;">Page 343</p> <p>1 A. There is always different elements</p> <p>2 of consultation.</p> <p>3 1211 Q. Right. So you thought that they</p> <p>4 may still be consulting with stakeholders; right?</p> <p>5 A. You said the word "complete." I</p> <p>6 just don't know if they were complete or not.</p> <p>7 1212 Q. Okay. And part of this deck is to</p> <p>8 identify the key risks and considerations; correct?</p> <p>9 A. If you could turn me to that page.</p> <p>10 Is this Slide 8?</p> <p>11 1213 Q. I'm just -- yes, I'm just</p> <p>12 following the deck. So Slide 8, yes, key risks and</p> <p>13 considerations.</p> <p>14 A. Okay. So I have the deck, that</p> <p>15 page in front of me.</p> <p>16 1214 Q. Okay.</p> <p>17 A. Could you go back to Slide 8 on</p> <p>18 the screen? That's it -- no. No. Key risks.</p> <p>19 It's Slide 8. I just can't see the print here.</p> <p>20 MR. RATCLIFFE: There we've got it.</p> <p>21 You can slide it over so it's all on the screen.</p> <p>22 THE WITNESS: Okay. So I have the page</p> <p>23 in front of me.</p> <p>24 BY MR. LISUS:</p> <p>25 1215 Q. And this collection of people</p>	<p style="text-align: right;">Page 345</p> <p>1 A. He might have been there as well.</p> <p>2 1223 Q. You would have been there?</p> <p>3 A. I would have been as Deputy</p> <p>4 Minister of Finance.</p> <p>5 1224 Q. Why are there no elected</p> <p>6 officials?</p> <p>7 A. Because the Cabinet committee --</p> <p>8 there's other committees where elected officials</p> <p>9 are that sit on.</p> <p>10 1225 Q. Okay. And so as you understood</p> <p>11 it, sir, the deck which you were given summarized</p> <p>12 the risks and considerations, the stakeholder</p> <p>13 considerations, and the proposed financial impact</p> <p>14 and economic impact; right?</p> <p>15 A. All of those -- you're going</p> <p>16 through the titles of each of the slides?</p> <p>17 1226 Q. Yes.</p> <p>18 A. Yes. You reference it.</p> <p>19 1227 Q. And the economic impact of the</p> <p>20 decision is identified as more than 1.1 billion in</p> <p>21 additional revenue to the province annually going</p> <p>22 forward. Do you see that?</p> <p>23 A. I see that.</p> <p>24 1228 Q. 2.3 billion in new private capital</p> <p>25 investment within Ontario, the creation of</p>

<p style="text-align: right;">Page 346</p> <p>1 approximately 3,000 net new permanent jobs; right? 2 A. I see that. 3 1229 Q. And that data would have come from 4 the office of economic policy; correct? 5 A. It would have, I believe, come 6 from a variety of sources. The job -- the net new 7 permanent jobs would be office of economic policy. 8 The revenue would likely be OLG, and the private 9 capital investment would likely be OLG. 10 1230 Q. Thank you. And then at 17, there 11 is the proposed Cabinet minute. Slide 17 is a 12 proposed Cabinet minute. 13 A. So that looks similar to the 14 option that was discussed earlier. 15 1231 Q. What is the purpose of developing 16 a proposed Cabinet minute for review and approval? 17 A. It goes through a review process 18 in terms of here's the minute that will be put in 19 front of Cabinet for a decision, and so the idea of 20 having a draft minute is to ensure people 21 understand what's in the minute and to have a 22 chance to comment on that minute before it went 23 forward. 24 1232 Q. Okay. But the idea is to compose 25 a minute that Cabinet is being asked to decide on;</p>	<p style="text-align: right;">Page 348</p> <p>1 meeting, I want to show you CRE361127. If you look 2 at the beginning of this email sequence, sir, it 3 appears to concern a discussion that was underway 4 about language in the Drummond report. 5 A. Just give me a second here to 6 review it. 7 MR. RATCLIFFE: Yeah, take your time to 8 read through it. 9 THE WITNESS: Okay. I had a chance to 10 peruse this. 11 BY MR. LISUS: 12 1235 Q. Do you recall this? 13 A. It's an email -- I don't recall 14 the specifics of the email, but I do recall 15 corresponding back and forth. 16 1236 Q. Do you recall a request being made 17 of Mr. Drummond to strengthen his recommendation on 18 Slots at Revenue going to horse racing industry 19 from the words "reevaluate and address to make it 20 stronger"? 21 A. So there was an email from Cabinet 22 office saying points to make to Don in order of 23 priority in there asking -- and I was one of the 24 addressees to the email -- to strengthen the 25 language.</p>
<p style="text-align: right;">Page 347</p> <p>1 right? 2 A. Is to bring forward a minute for 3 Cabinet to review and decide on. 4 1233 Q. Okay. 5 MR. LISUS: That's the next exhibit. 6 MR. ROSENBERG: For identification. 7 MR. LISUS: I don't think so. He was 8 at the meeting. 9 MR. ROSENBERG: Was he able to identify 10 the document? 11 MR. LISUS: That's not the test, 12 Mr. Rosenberg. 13 THE WITNESS: It looks like it's a 14 similar draft. It's a draft of a Cabinet document 15 that would have come to me. I can't attest to that 16 specific one. 17 MR. LISUS: We understand. 18 MR. MATTHEWS: Exhibit 23, CRE214397 19 and 214400. 20 MR. ROSENBERG: You have my objection. 21 EXHIBIT NO. 23: CRE0214397 and 22 CRE0214400. 23 BY MR. LISUS: 24 1234 Q. Moving forward now, sir, to the 25 25th of January coming up to a February 28 Cabinet</p>	<p style="text-align: right;">Page 349</p> <p>1 1237 Q. Right. You wanted him to say -- 2 to use stronger language than "reevaluate and 3 address." Right? 4 A. The direction I got from Scott was 5 to provide stronger language. 6 1238 Q. Got it. So the direction you got 7 from Scott, who was in the Cabinet office, was to 8 ask Mr. Drummond to use stronger language than 9 "reevaluate and address." Right? 10 A. It was part of the broader context 11 of overall savings in the system. And so I looked 12 at the language. So I was asked to look at the 13 language, and I did. 14 1239 Q. When you looked at the language, 15 you felt that "reevaluate" with respect to Slots at 16 Racetrack Program and "address" wasn't strong 17 enough; right? 18 A. And I'm looking for the suggested 19 wording. I'm trying to look for the references I 20 did provide. 21 1240 Q. Well, I presume -- 22 A. And I think Don -- my conversation 23 with Don I don't recall exactly word for word. 24 1241 Q. Don Drummond? 25 A. Don Drummond. Was it needed for</p>

<p style="text-align: right;">Page 350</p> <p>1 right across the board. The government was faced 2 with a difficult task of balancing the budget. 3 There were tough -- tough decisions had been made 4 and that we needed to be looking for more savings 5 across the board. 6 And so I did provide him language on -- 7 strengthening the language in this one area. I 8 don't have that -- I don't see my response in the 9 material you gave me. 10 I mean, I was speaking to Don Drummond 11 about our credit rating, our deficit targets, our 12 spending trajectory. There was a number of things 13 I was talking to Don about. This would have been 14 one of many. 15 1242 Q. Did you talk with Don about 16 recommending that the revenue sharing from Slots at 17 Racetrack Program be eliminated? 18 A. I don't think I talked -- I don't 19 recall. 20 1243 Q. Okay. Did you tell Don -- well, I 21 suppose as of January 25, there was only discussion 22 or recommendation from Finance staff of a reduction 23 over three years and \$100 million transfer payment 24 going forward in 2015; correct? That was the 25 recommended approach as of January 25?</p>	<p style="text-align: right;">Page 352</p> <p>1 programs. 2 1249 Q. You don't know whether or not he 3 was briefed on what the consequences would be of a 4 termination of the revenue share? 5 A. No, I don't know if he was briefed 6 on that. 7 1250 Q. But you knew that he hadn't 8 evaluated that? 9 A. I don't think he conducted -- not 10 that I'm aware of. 11 1251 Q. Right. He testified that he did 12 not, and it was not his mandate to evaluate the 13 impact of termination of revenue share on horse 14 racing. 15 A. If you looked at his overall 16 mandate, he didn't delve into every nook and cranny 17 within every government program, but he had a lot 18 of substantive recommendations that led to tough 19 choices for government to make. 20 1252 Q. Did you understand that 21 Mr. Drummond had discussed the land-based gaming 22 review with OLG or anyone at OLG? 23 A. I'd be surprised if he wasn't 24 briefed on that. 25 1253 Q. You would be?</p>
<p style="text-align: right;">Page 351</p> <p>1 A. At that time. So of any language 2 I would have given Don for consideration -- he 3 makes his own decisions -- 4 1244 Q. Right. 5 A. -- would have been to talk about 6 reductions. 7 1245 Q. Did you speak with Mr. Drummond 8 after January 25 and before the Cabinet meeting of 9 February 28 about the elimination of Slots at 10 Racetrack Program -- 11 A. I don't recall. 12 1246 Q. -- revenue share? 13 A. I don't recall having a 14 conversation with him. 15 1247 Q. Okay. 16 A. I had many conversations with him 17 on a variety of different topics. 18 1248 Q. And you knew that Mr. Drummond, of 19 course, hadn't evaluated what the impact would be 20 on racetracks and the breeding sector if the SARP 21 revenue share was terminated? 22 A. I know he was briefed from all 23 ministries on their assessment, so he may not have 24 conducted it independently, but he would have been 25 briefed from a number of different groups on their</p>	<p style="text-align: right;">Page 353</p> <p>1 A. I'm sure he would be. I just 2 don't know to what depth and by whom. 3 1254 Q. Why did you expect he would be? 4 A. It was a significant part of the 5 activity going on about generating revenue. He was 6 tasked with looking at how is it going to deliver 7 on its deficit target and have to balance. 8 He was highly critical of a number of 9 different programs and the value for taxpayer money 10 that the province was generating. And that would 11 be -- that would be a signature item at least 12 within the Ministry of Finance. 13 1255 Q. Mr. Drummond never did put in the 14 stronger language than "reevaluate" with respect to 15 Slots at Racetrack Program revenue share; correct? 16 A. I don't recall exactly what his 17 words were, but Don Drummond makes his own 18 decisions. 19 1256 Q. His words are recommendation 17, 20 4: 21 "Reevaluate on the value for 22 money basis, the practice of 23 providing a portion of net slot 24 revenue to the horse racing and 25 breeding industry and municipalities</p>

<p style="text-align: right;">Page 354</p> <p>1 in order to substantially reduce and 2 better target that support." 3 That's what his recommendation was. 4 A. What was the last part? To 5 substantially reduce and better target? 6 1257 Q. Yes. 7 A. Right. 8 1258 Q. The last discussion you recall 9 with Mr. Drummond was January 25, at around that 10 time? 11 A. So I spoke to him on a fairly 12 frequent basis up until when his report was 13 released and after the report. 14 1259 Q. Okay. 15 A. I can't recall specifically when 16 on this particular topic I would have spoken to 17 him. 18 1260 Q. And do you think it's likely, sir, 19 that you spoke to him about a proposal that was to 20 reduce support over three years and then have a 21 \$100 million annual transfer payment going forward? 22 A. I don't recall the specifics of 23 getting into that proposal. 24 1261 Q. Okay. You don't recall one way or 25 the other?</p>	<p style="text-align: right;">Page 356</p> <p>1 1265 Q. We're now January 26, CRE87519. 2 A. January 26. Is there material for 3 me to look at? 4 1266 Q. This is a government deck final. 5 This is on January 26, sir. And it states on the 6 third page of the deck "summary of proposal." We 7 see the proposal is with respect to the 8 modernization of gaming and the two business 9 lines -- the two general business lines: Lottery 10 and gaming; right? 11 A. I see that. 12 1267 Q. And the second bullet point is: 13 "We did substantial 14 consultations with stakeholders and 15 validated our analysis with external 16 experts." 17 Right? Do you see that? 18 MR. RATCLIFFE: Sorry, which bullet 19 point is that? 20 MR. LISUS: Pardon? 21 MR. RATCLIFFE: It doesn't appear to -- 22 MR. LISUS: The third slide. 23 MR. RATCLIFFE: Down at the bottom, 24 outside the box. We see it now. 25 BY MR. LISUS:</p>
<p style="text-align: right;">Page 355</p> <p>1 A. Yes. 2 1262 Q. We know that that was the 3 recommended approach at the meeting of January 4 19th? 5 A. That was the proposal that the 6 ministry was bringing forth for direction. 7 1263 Q. It's more than a proposal, sir. 8 It was a recommendation; right? 9 A. I think there's a recommendation 10 for five years earlier. 11 1264 Q. Okay. 12 MR. LISUS: All right. This email is 13 the next exhibit, January 25, 2012. 14 MR. ROSENBERG: For identification. 15 This hasn't been identified by the witness. 16 MR. MATTHEWS: He's a recipient of the 17 email, Mr. Rosenberg. 18 MR. ROSENBERG: Maybe I'm looking at 19 different emails. I don't have a copy of that in 20 front of me. 21 MR. MATTHEWS: CRE361127. That will be 22 the next exhibit. 23 MR. ROSENBERG: You have my objection. 24 EXHIBIT NO. 24: CRE0361127. 25 BY MR. LISUS:</p>	<p style="text-align: right;">Page 357</p> <p>1 1268 Q. And I want to just pause here. 2 You see that, the reference to substantial 3 consultation? 4 A. Yeah. Normally when they give 5 them a deck, we don't see their speaking points. 6 I'm seeing it now. 7 1269 Q. So you're saying that the entries 8 beneath the square entitled "Summary of Proposal" 9 are the speaking points for the presenters who are 10 going to present the deck? 11 A. That's how I read this. 12 1270 Q. All right. Take a look at page 13 27. Just flip forward to page 27. 14 A. So it's a placeholder slot. 15 1271 Q. Right. It says: 16 "This slide will be customized 17 with public interest impacts 18 relating to the ministry for the 19 following ministers." 20 And it lists a number of ministers; right? 21 A. I see that. 22 1272 Q. Did you understand, sir, that 23 there was going to be a consultation -- let me say 24 a briefing process within a few days of January 26 25 to let key ministers know about what the proposed</p>

Page 358	Page 360
1 approach or the recommended approach was going to	1 in any briefings with Mr. Bardeesy and the Premier?
2 be at the upcoming Cabinet meeting?	2 A. No.
3 A. Yes. So that's not unusual where	3 1282 Q. Or Mr. Bardeesy and Mr. Duncan?
4 they brief ministers in advance to have a better	4 A. When the Premier's office is
5 understanding.	5 there, typically not.
6 1273 Q. We heard from Mr. Shortill and	6 1283 Q. Okay.
7 Mr. Stransky that they briefed a number of	7 A. I mean, I've had my own briefings
8 ministers in advance as to what the recommended	8 with the Minister of Finance being his deputy
9 approach was.	9 minister.
10 A. They're at those meetings.	10 1284 Q. Okay. And do you recall what
11 1274 Q. You were not?	11 Minister Duncan's preferred approach was to the
12 A. I was not.	12 Slots at Racetrack Program revenue sharing at the
13 1275 Q. All right. And we see that the	13 end of January 2012?
14 slide at page 19 again refers to extensive	14 A. I don't recall.
15 stakeholder consultation and analysis.	15 1285 Q. Okay. I want to show you
16 A. I see that.	16 Exhibit 27 on the examination of Mr. Stransky and
17 1276 Q. And we see at Slide 24, the	17 Exhibit 7 on the examination of Mr. Shortill, which
18 proposed approach is summarized in the middle	18 is a summary of consultations with the ministers,
19 column?	19 various ministers, undertaken at the end of
20 A. I see the proposed approach.	20 February.
21 1277 Q. And that, as we say, is the	21 A. You're saying at the end of
22 initial step-down in 100 million a year transfer	22 February? I see February 1st. Am I mistaken on
23 payments -- annual transfer payments going forward;	23 this email?
24 correct?	24 1286 Q. End of January, beginning of
25 A. That's what I think it says.	25 February is what I meant to say. Perhaps I didn't
Page 359	Page 361
1 1278 Q. Okay. And on Slide 25, there's a	1 say that. February 1 and January 31.
2 specific representation about what the	2 A. Okay. I just wanted to clarify.
3 stakeholders' concerns and impacts are about this	3 1287 Q. Does this generally accord with
4 approach; correct?	4 your understanding that there would have been a
5 A. I see that.	5 briefing of the ministers as to what was going to
6 1279 Q. I understood that to the extent	6 be recommended or proposed at Cabinet?
7 that you were made aware of this process, you	7 A. Often -- it's not unusual for
8 understood that stakeholders, including the horse	8 ministers to be briefed by the proponent ministry
9 racing industry, had been consulted about this	9 before Cabinet.
10 proposed approach?	10 1288 Q. Okay. All right. Thank you. Do
11 A. I don't know, per se, if they were	11 you recall being briefed?
12 consulted on this proposed approach.	12 A. I wouldn't typically be at those
13 1280 Q. Okay. But certainly we can see	13 meetings.
14 from the documents that as of January 26, that is	14 1289 Q. You typically wouldn't be?
15 the proposed approach, the phased step-down and	15 A. Wouldn't be at those meetings.
16 then \$100 million a year in annual transfer	16 1290 Q. Right. Mr. Stransky and
17 payments; right?	17 Mr. Shortill said it was the two of them.
18 A. At the time, yes.	18 A. Yeah.
19 MR. LISUS: All right. That's the next	19 1291 Q. I want to show you, sir, a
20 exhibit.	20 document, 80005 CRE, and this is a document that
21 EXHIBIT NO. 25: CRE0087519 and	21 comes under cover of an email February 1, 2012.
22 CRE0087520.	22 You're on the email sequence.
23 BY MR. LISUS:	23 It's a chart prepared to respond to
24 1281 Q. Did you, sir, at or around this	24 Peter Wallace's request last night for a now and
25 point in time, being late January 2012, participate	25 future state chart of gaming metrics.

Page 362	Page 364
<p>1 If we look at the chart, it shows that 2 current 2011-12 horse racing industry funding Slots 3 at Racetrack Program, 345 million. And then it 4 says at maturity, 2017-18, zero. Do you see that? 5 A. I see the reference, yes. 6 1292 Q. And then the footnote: 7 "The Slots at Racetrack Program 8 terminated and a new funding model 9 implemented." 10 A. I see that. 11 1293 Q. Okay. Now, the Pari-Mutuel Tax 12 Reduction obviously wasn't new. It had been in 13 effect since 1996; correct? 14 A. As I recall, I think that's the 15 date. 16 1294 Q. Right. 17 MR. LISUS: That's the next exhibit. 18 MR. ROSENBERG: For identification. 19 MR. MATTHEWS: He's a recipient of the 20 email, Mr. Rosenberg. 21 THE WITNESS: I would have been copied 22 on something going to Peter Wallace. 23 MR. ROSENBERG: That's fine. 24 MR. MATTHEWS: Exhibit 26. 25 EXHIBIT NO. 26: CRE0080004 and</p>	<p>1 A. Let me confirm that. Yeah. 2 1300 Q. It goes to you February 1, 3 material for FPC, right, fiscal prep committee? 4 A. So I was sent something February 5 2nd. 6 1301 Q. Right. I think you were sent it 7 February 1, sir. February 1 material for FPC from 8 Greg Stajduhar? 9 A. I see that. 10 1302 Q. And your deputy, Mr. Goodwin -- 11 A. Assistant deputy. 12 1303 Q. -- assistant deputy suggests that 13 language be used reducing subsidies to the horse 14 racing industry to reinvest in key public services; 15 right? And you say: 16 "I like it." 17 Right? 18 A. Yes. I was trying to capture the 19 direction we were given. 20 1304 Q. Okay. And then, sir -- 21 MR. LISUS: Next exhibit. 22 EXHIBIT NO. 27: CRE0012950. 23 BY MR. LISUS: 24 1305 Q. We talked a minute ago about this 25 meeting that you were not at that Mr. Bardeesy was</p>
<p>1 CRE0080005. 2 BY MR. LISUS: 3 1295 Q. Now, sir, we've heard evidence -- 4 and I'm sure you've seen the emails -- that at a 5 meeting with the Premier on February 2nd, the 6 Premier decided to go to zero for horse racing 7 revenue share. Are you aware of that? 8 A. I recall an email from a meeting. 9 1296 Q. Okay. Were you at -- and the 10 email that you recall is the email from 11 Mr. Bardeesy; right? 12 A. That's correct. 13 1297 Q. Were you at that meeting? 14 A. No. It was informing me and the 15 deputy of Cabinet office the outcome of that 16 meeting. 17 1298 Q. Who do you understand was at that 18 meeting? 19 A. That I don't know. 20 1299 Q. Okay. I want to -- before we talk 21 about that meeting, I want to ask you about an 22 email, CRE12950. Now, this is a sequence in which 23 there's a discussion about materials for what 24 appears to be a fiscal prep committee meeting. It 25 starts on January 30th. Do you see that?</p>	<p>1 at with the Premier. You got an email from 2 Mr. Bardeesy on February 2. This is the email that 3 you recall; correct? 4 A. Yes. He sent it to political 5 staff and then sent a separate one to public 6 servants. 7 1306 Q. Right. And this was the first 8 time that you were informed that the Premier had 9 not -- had decided not to follow the recommended 10 approach of the three-year step-down and 11 \$100 million annual transfer payments commencing 12 February 2015-16; correct? 13 A. Can you repeat that? 14 1307 Q. This was the first that you heard? 15 A. Yes. 16 1308 Q. Okay. And did you speak with 17 Mr. Bardeesy about the decision that the Premier 18 made? 19 A. So it was direction to go into 20 Cabinet for a decision. 21 1309 Q. Did you speak to Mr. Bardeesy 22 about the direction the Premier gave to -- 23 A. I think the discussion to 24 recommend to Cabinet, which this would have 25 entailed, would have been translated to staff, and</p>

Page 366	<p>1 they would be working up the material given at the 2 new direction. 3 1310 Q. Okay. So this was just a data 4 point for you? 5 A. Well, it was -- at the time, the 6 government was grappling with rising deficit. 7 1311 Q. I don't need a speech, Mr. Orsini. 8 This was just a data point for you. You were told 9 by email from Mr. Bardeesy that the direction from 10 the Premier going into Cabinet is to go to zero for 11 horse racing. I'm not asking you why. 12 A. I'm trying to understand data 13 point. 14 1312 Q. This is just a -- 15 A. It's an important piece of 16 information giving us direction to take a proposal 17 into Cabinet for a decision. 18 1313 Q. Fair enough. And the proposal 19 into Cabinet as of February 2 was to go to zero for 20 horse racing, not the -- 21 A. It wasn't entirely -- 22 1314 Q. Let me just finish the question -- 23 not the three-year step-down 100 million annual 24 transfer payments; right? 25 A. It wasn't that particular</p>	Page 368	<p>1 EXHIBIT NO. 28: CRE0360917. 2 BY MR. LISUS: 3 1318 Q. And I want to show you CRE361000, 4 which is Exhibit 10 on the examination of 5 Bardeesy. So this is an email sequence that you 6 don't appear to have been directly involved in, but 7 it culminates with Ms. Ampleford saying: 8 "Karim, never mind the below. 9 I've just heard from MOF they've 10 been directed by their MO." 11 That's minister; right? 12 A. Minister's office. 13 1319 Q. "They've been directed by their 14 minister's office to remove the 15 transition support, so the one-year 16 notice period is the transition. 17 We will run with it, and I'll send 18 you all revised docs when they come 19 in. We should still get this out 20 by 2." 21 Do you see that? 22 A. I see reference to that. 23 1320 Q. Okay. So do you recall, sir, 24 being aware on February the 3rd that the minister's 25 office had directed Cabinet office to remove the</p>
Page 367	<p>1 proposal, but there was still 70 million plus 2 continuing to go to the industry through the 3 Pari-Mutuel Tax Reduction. 4 1315 Q. And Mr. Bardeesy says: 5 "For Cabinet dynamics, he wants 6 the reality of the need for revenues 7 to be clear, and he advises may be 8 coming in with a package and 9 allowing Cabinet to strip out some 10 of the elements." 11 Do you see that? 12 A. I see reference to that, yes. 13 1316 Q. What did you understand coming in 14 with a package and allowing Cabinet to strip out 15 some of the elements to mean? 16 A. The Cabinet submission talked 17 about all parts of modernization, you know, 18 location of land-based casinos. They had other 19 options on the Slots at Racetrack Program. There 20 was a number of different options available to 21 Cabinet. And it allows Cabinet to make changes to 22 the submission. 23 1317 Q. Okay. 24 MR. MATTHEWS: Mark this as the next 25 exhibit, CRE360917.</p>	Page 369	<p>1 transition support so the one-year notice period is 2 the transition? Do you remember that? 3 A. So that was Cabinet office to the 4 Premier's office copying people from the Cabinet 5 office that they heard from the Minister of Finance 6 office to remove the transition. Yes. 7 1321 Q. Right. 8 A. That's what I see here. 9 1322 Q. Correct. 10 A. I wasn't copied on it, but that's 11 what I see. 12 1323 Q. Okay. As I understand that, what 13 Cabinet is saying is that Minister Duncan's office 14 has directed Finance to remove the transition 15 support, so there is going to be one-year notice 16 termination of revenue share and no support; right? 17 A. Besides the Pari-Mutuel Tax 18 Reduction, but that's what I see here. 19 1324 Q. My question to you is do you 20 recall that direction being given by 21 Minister Duncan on February 3? 22 A. I do not recall Minister Duncan 23 giving that direction. 24 1325 Q. Okay. And I presume, therefore, 25 that Minister Duncan did not discuss that with you?</p>

<p style="text-align: right;">Page 370</p> <p>1 A. He did not.</p> <p>2 1326 Q. All right. And do you recall when</p> <p>3 you became aware that Minister Duncan had given</p> <p>4 that direction?</p> <p>5 A. I don't know when, but it would</p> <p>6 have been in the final Cabinet submission that I</p> <p>7 had to sign.</p> <p>8 1327 Q. I see.</p> <p>9 MR. LISUS: Now, that's the next --</p> <p>10 BY MR. LISUS:</p> <p>11 1328 Q. Now, I want to just ask you a</p> <p>12 point about something.</p> <p>13 A. Can I get that back, please.</p> <p>14 1329 Q. Yes. The email says:</p> <p>15 "I have DM signed versions of</p> <p>16 deck and detailed submission, but</p> <p>17 I'm hearing from Ministry of Finance</p> <p>18 staff that the MO has asked them to</p> <p>19 hold off production pending ongoing</p> <p>20 discussions."</p> <p>21 Do you see that?</p> <p>22 A. Yes.</p> <p>23 1330 Q. I understand from that that as of</p> <p>24 February 3 at 11:18, you had signed a version of</p> <p>25 the deck, but there was still discussions between</p>	<p style="text-align: right;">Page 372</p> <p>1 Again, you aren't on these emails. It's Cabinet</p> <p>2 office, Finance. Second from the top, it says:</p> <p>3 "Just got new final Premier's</p> <p>4 office and minister's office -- "</p> <p>5 That's Finance because it's from Mr. Goodwin;</p> <p>6 correct?</p> <p>7 A. I presume that's the case.</p> <p>8 1336 Q. "-- policy instruction on horse</p> <p>9 racing and need to make some edits,</p> <p>10 but signatures still fine."</p> <p>11 And it says:</p> <p>12 "Horse racing down to one</p> <p>13 year."</p> <p>14 Correct?</p> <p>15 A. That's what it says in the email.</p> <p>16 1337 Q. So as you understood it, sir,</p> <p>17 between February 2 and February 3rd,</p> <p>18 Minister Duncan and Premier McGuinty decided not to</p> <p>19 follow the recommended approach of either the</p> <p>20 five-year phase-out or the three-year phase-out,</p> <p>21 but to go to zero with no transition support</p> <p>22 effective March 13th, and that was the direction</p> <p>23 that they were taking to Cabinet; fair?</p> <p>24 A. So that's a direction we've heard</p> <p>25 from the minister's office and Premier's office.</p>
<p style="text-align: right;">Page 371</p> <p>1 Cabinet office, Premier's office, and Ministry of</p> <p>2 Finance about what the Cabinet submission would</p> <p>3 actually say?</p> <p>4 A. That's correct.</p> <p>5 1331 Q. Okay. And then, as you've said,</p> <p>6 you weren't involved in the decision made by the</p> <p>7 Minister of Finance to remove the transition</p> <p>8 support, but you would have become aware of that</p> <p>9 when you saw revised Cabinet material; correct?</p> <p>10 A. That'd be a fair assessment.</p> <p>11 1332 Q. Okay. Did you ever re-sign a new</p> <p>12 deck?</p> <p>13 A. I don't recall re-signing a new</p> <p>14 deck.</p> <p>15 1333 Q. Okay. Thank you.</p> <p>16 A. That's not to say I didn't, but I</p> <p>17 don't recall.</p> <p>18 1334 Q. All right.</p> <p>19 MR. MATTHEWS: So we'll mark this for</p> <p>20 identification, Exhibit H.</p> <p>21 EXHIBIT NO. H for Identification:</p> <p>22 CRE0361000.</p> <p>23 BY MR. LISUS:</p> <p>24 1335 Q. And I want to show you another</p> <p>25 email sequence, which is also on February 3.</p>	<p style="text-align: right;">Page 373</p> <p>1 1338 Q. Okay.</p> <p>2 MR. MATTHEWS: This will be Exhibit I</p> <p>3 for Identification, CRE360994.</p> <p>4 EXHIBIT NO. I for Identification:</p> <p>5 CRE0360994.</p> <p>6 BY MR. LISUS:</p> <p>7 1339 Q. And Cabinet materials were being</p> <p>8 produced to take that recommendation to Cabinet;</p> <p>9 correct?</p> <p>10 A. So we were revising the Cabinet</p> <p>11 material to reflect the direction.</p> <p>12 1340 Q. Okay. And if I show you</p> <p>13 Exhibit 12 from Mr. Bardeesy's examination, this is</p> <p>14 an email which appears to be in the context of</p> <p>15 revising the Cabinet submissions which concludes</p> <p>16 with Mr. Goodwin saying:</p> <p>17 "And horse racing positioning</p> <p>18 changing to a complete exit from</p> <p>19 program support in April 2013. Just</p> <p>20 the notice period and out."</p> <p>21 Right?</p> <p>22 A. That's what I see here on the</p> <p>23 email.</p> <p>24 1341 Q. And then it --</p> <p>25 A. I don't see myself copied.</p>

<p style="text-align: right;">Page 374</p> <p>1 1342 Q. You weren't. At some point, sir, 2 you became engaged in assisting the messaging of 3 that decision for the purposes of Cabinet material; 4 correct? 5 A. I'd be involved in, you know, the 6 presentation materials. 7 1343 Q. Okay. 8 MR. MATTHEWS: Exhibit J is CRE361002. 9 EXHIBIT NO. J for Identification: 10 CRE0361002. 11 MR. LISUS: Let's pause there. Take a 12 break for half an hour. 13 -- Recess at 12:40 p.m. -- 14 -- Upon resuming at 1:12 p.m. -- 15 BY MR. LISUS: 16 1344 Q. I'll show you Exhibit 14 on the 17 examination of Mr. Bardeesy, which is an email 18 sequence that begins from Barry Goodwin to you and 19 others enclosing revised gaming materials, and the 20 sequence that starts February 3 around 5:30 p.m. 21 and continues through to February 4. 22 And it appears that the group is 23 revising the materials to go into the Cabinet 24 submission; right? 25 A. It looks like they're finalizing</p>	<p style="text-align: right;">Page 376</p> <p>1 self-serve lottery machines, extra 2 casinos in the GTA area; D, 3 maintaining a Slots at Racetrack 4 Program subsidy at 100 million." 5 Right? 6 A. I see that. 7 1350 Q. We know that on February 4, 8 Saturday, the deck still had -- the prior 9 recommendation, maintaining the \$100 million annual 10 transfer payment, and that's coming out; right? 11 A. Or it's moving to another section. 12 1351 Q. Okay. And it says: 13 "These should explicitly 14 include the OLG profit foregone from 15 not going ahead with the first three 16 options. I think Minister Duncan is 17 still working on how best to 18 position this, but my understand is 19 he wants to say that these were 20 considered, then rejected, rather 21 than giving Cabinet the chance to do 22 the stripping out itself." 23 Do you see that? 24 A. I see that. 25 1352 Q. Okay. And what do you understand</p>
<p style="text-align: right;">Page 375</p> <p>1 the material going into Cabinet. 2 1345 Q. Right. And you don't appear to be 3 involved in making changes to materials. I presume 4 that you wouldn't have done that? 5 A. It's pushed down into the 6 organization. 7 1346 Q. Right. And I want to just ask you 8 about Mr. Bardeesy's email. Were you at the 9 Cabinet meeting? 10 A. I would presume I'd be there. 11 1347 Q. But you don't recall? 12 A. I don't recall the details, but I 13 presume I would be there. 14 1348 Q. Right. On Mr. Bardeesy's email of 15 12:35, he says in the middle: 16 "After stakeholder 17 considerations should go a slide 18 that includes additional elements 19 that were considered, then 20 rejected." 21 Do you see that? 22 A. Just point it out again. Yes. 23 1349 Q. Okay. He says: 24 "Specifically, A, lottery-style 25 products in the hospitality sector,</p>	<p style="text-align: right;">Page 377</p> <p>1 to be going on here with your minister? 2 A. I think they were looking at even 3 a more aggressive OLG modernization plan, and they 4 took some things out as part of the final 5 deliberations and based on their assessment. 6 And so rather than Cabinet taking it 7 out, it looks like they took them out instead and 8 just positioned it's less revenue than they could 9 have generated. 10 1353 Q. I also understand this to be 11 saying that he wants Cabinet submission to convey 12 that maintaining Slots at Racetrack Program subsidy 13 at 100 million was considered and rejected; right? 14 And we do -- as we reviewed the decks, that does 15 appear to have been the case? 16 MR. RATCLIFFE: Counsel, you had a 17 chance to review this with Mr. Bardeesy. 18 MR. LISUS: This is his minister's 19 views, Mr. Ratcliffe. Mr. Bardeesy was not 20 speaking with Minister Duncan. He made that clear. 21 THE WITNESS: In totality, these 22 explicitly include OLG profit foregone. So when 23 you bundle it all in, what they've taken out is 24 less revenue coming into government. 25 BY MR. LISUS:</p>

Page 378	Page 380
<p>1 1354 Q. I'm simply referring to the one 2 point there. 3 A. That's one of the elements, it 4 appears, from this. 5 1355 Q. Maintaining Slots at Racetrack 6 Program subsidy at 100 million, and I understood 7 from this email that Minister Duncan wanted to say 8 that that was one of the things that was considered 9 and rejected. And that appears to accord with the 10 evolution of the question of funding. Would you 11 agree with me? 12 A. There was several things that they 13 stripped out, some generating revenue and some 14 costing more. And so he's referring to all of 15 them. 16 1356 Q. Correct. And the 100 million -- 17 A. Was one of the items -- 18 1357 Q. That was costing more? 19 A. Yes. 20 1358 Q. All right. And so what 21 Minister Duncan appears to have been expressing a 22 preference for was to tell Cabinet that the 23 100 million was considered and rejected; right? 24 A. I'm trying to -- you're reading in 25 more to those words than on the page.</p>	<p>1 Right? Do you see that? 2 MR. RATCLIFFE: Which part of the email 3 are you referring to? 4 THE WITNESS: I'm curious as to how the 5 Pari-Mutuel tax is being maintained. So the 6 support for the sector wasn't being eliminated, one 7 element of it. It says: 8 "The Cabinet deck should speak 9 to subsidies, the horse being 10 eliminated and not reduced." 11 I'm talking about the Pari-Mutuel tax. I'm just 12 trying to understand in light of everything that 13 was in the Cabinet document. 14 BY MR. LISUS: 15 1363 Q. My only point, sir, is that it 16 appears that as of February 4, Saturday, the deck 17 still had in it the subsidies being reduced, not 18 eliminated. 19 And Mr. Bardeesy, in light of the 20 direction on February 2nd, is telling the team to 21 make sure that the submission is amended to 22 reflect -- 23 A. That's what it says. 24 1364 Q. Right. Okay. 25 MR. LISUS: That's the next exhibit.</p>
<p>1 1359 Q. I'm just reading. 2 "I think Minister Duncan is 3 still working on how best to 4 position this, but my understand is 5 he wants to say that these were 6 considered, then rejected." 7 A. That's what the words say. 8 1360 Q. Okay. You don't recall, as you've 9 told me, the Cabinet meeting itself? 10 A. I do vaguely recall -- this is 11 many, many years ago -- a Cabinet meeting on this 12 topic. 13 1361 Q. Okay. 14 MR. LISUS: So this is the next 15 exhibit. 16 MR. MATTHEWS: Exhibit K. 17 EXHIBIT NO. K for Identification: 18 CRE0012973. 19 BY MR. LISUS: 20 1362 Q. If we look at CRE361055, again, we 21 see Mr. Bardeesy on Saturday, February 4 saying: 22 "The Cabinet deck on page 1 23 should speak to subsidies to the 24 horse racing industry being 25 eliminated, not reduced."</p>	<p>1 Was Exhibit 15 in Bardeesy. 2 MR. MATTHEWS: Exhibit L. 3 EXHIBIT NO. L for Identification: 4 CRE0361055. 5 BY MR. LISUS: 6 1365 Q. Do you recall any discussion with 7 Minister Duncan about the decision made by him and 8 Premier McGuinty February 2 and 3 to direct the 9 elimination of SARP revenue sharing effective March 10 2013 with no transition support? 11 A. Do I -- you're referencing a 12 decision between the two. I can't confirm they 13 spoke on the topic or they were through other -- 14 through their offices. That's one. And the second 15 part? 16 1366 Q. My question is do you recall any 17 discussion with Minister Duncan about the decision 18 made by him and Premier McGuinty on February 2 and 19 3 to direct the elimination of SARP revenue sharing 20 effective March 2013 with no transitional support? 21 A. So I don't recall a discussion. 22 There could have been a briefing leading into 23 Cabinet, but I don't recall the discussion. 24 1367 Q. All right. Were you aware going 25 into the Cabinet meeting on February the 8th that</p>

Page 382		Page 384	
1	Minister Duncan and Mr. McGuinty had taken that decision?	1	right?
2		2	A. You're looking at the third HR
3	A. We got direction that -- we got	3	chart that is background on how we determine the
4	direction that they wanted to take that proposed	4	HRFTE racetrack impacts?
5	approach to Cabinet for a decision, so we did get	5 1377	Q. Yeah, I'm looking at the first
6	direction on that front through their offices.	6	page, 273, which is the email.
7 1368	Q. Indeed that proposed approach is	7	A. Right.
8	what Cabinet endorsed on February 28th; correct?	8 1378	Q. Okay. Attached, please find
9	A. The final submission going in,	9	revised --
10	correct.	10	A. Yes, the third bullet point you're
11 1369	Q. I want to show you the Cabinet	11	referring to, yes.
12	minute that was given to Cabinet -- this is the	12 1379	Q. The second as well.
13	material that we understand was before -- or in the	13	A. Yes, I see both of them.
14	Cabinet briefing books.	14 1380	Q. All right. So go over the page.
15	And the Cabinet minute is at page 404.	15	A. Okay.
16	There's pages on the upper right-hand side. Let's	16 1381	Q. This is the information provided
17	just go with that. Page 404.	17	by the ministry to answer any questions at Cabinet
18	A. I'm just looking for -- is this a	18	on the question of the impact on jobs in the horse
19	signed version of the -- it's one way to confirm it	19	racing section with the full elimination of the
20	was a --	20	slots funding; right?
21 1370	Q. Yes, I believe it's signed. The	21	A. I see that.
22	Cabinet briefing --	22 1382	Q. And that's the information
23	A. The slide deck was signed.	23	provided by Finance for the Cabinet discussion;
24 1371	Q. Yes.	24	correct?
25	MR. RATCLIFFE: 404.	25	A. I see that, yes.
Page 383		Page 385	
1	THE WITNESS: So page 404. Okay, I	1 1383	Q. All right. And if we go over to
2	have that in front of me.	2	page 276.
3	BY MR. LISUS:	3	A. Okay, I have the page.
4 1372	Q. Do you see the Cabinet Minute	4 1384	Q. These are minister's speaking
5	Number 4?	5	points.
6	A. Number 4?	6	A. Yes, I see that.
7 1373	Q. Yes.	7 1385	Q. Who prepares the minister's
8	A. Yes.	8	speaking points? The Finance staff?
9 1374	Q. And that's quite a different	9	A. It would be combination of the
10	Cabinet minute than the one that we saw previously	10	minister's office running it by Finance officials.
11	in January; right?	11 1386	Q. And we see at page 279, bottom
12	A. It kept changing, but this is the	12	bullet:
13	final one that was taken into Cabinet.	13	"It is also worth noting that
14 1375	Q. Okay. Now, if we -- just hold on	14	the Drummond report will make
15	to that material for now, Mr. Orsini, and I want to	15	several recommendations for OLG that
16	give you CRE -- fine, just keep that in front of	16	the government will need to review.
17	you, sir.	17	These include closing one of the two
18	A. Okay.	18	head offices. OLG's proposal does
19 1376	Q. If you look at page 274 of that	19	not do that."
20	package in the upper right-hand corner and go back	20	And you're aware that Mr. Drummond's report did
21	to 273, we have Elizabeth Yeigh sending around	21	recommend closing one of OLG's two head offices?
22	revised minister speaking points, additional Qs and	22	A. Repeat that. Do I remember --
23	As on municipal process, convenience stores, horse	23 1387	Q. His report recommended closing one
24	racing, FTE racetrack impacts. That means the	24	of OLG's head offices; correct?
25	employment impacts in the horse racing industry;	25	A. I can't recall exactly, but he may

Page 386		Page 388	
1	have recommended that.	1	A. No.
2	1388 Q. This speaking point also says:	2	1400 Q. I want to show you some notes that
3	"And several other	3	she prepared. These are notes that she prepared
4	recommendations that are consistent	4	describing her experience in the gaming policy
5	with OLG's proposal, including	5	branch?
6	eliminating the Slots at Racetrack	6	A. So this is July 17th, 2012?
7	funding support to the horse racing	7	1401 Q. Yes.
8	industry."	8	A. It's an email she sent to herself.
9	Do you see that?	9	1402 Q. Yes, she appears to have been
10	A. Yes, I do see that.	10	preparing a summary of her experience in the gaming
11	MR. ROSENBERG: You've already asked	11	policy branch and what she had done that year.
12	these questions of this witness.	12	A. So I haven't seen this.
13	BY MR. LISUS:	13	1403 Q. All right. And I just want to ask
14	1389 Q. And you and I can agree, sir, he	14	you to take a look at the fifth hashmark which
15	did not make any such recommendations?	15	says:
16	A. I don't recall him making that	16	"The government was very
17	recommendation.	17	interested in OLG's recommendations
18	1390 Q. So who's responsible for the	18	and in seeking Cabinet approval very
19	accuracy of the minister's speaking points?	19	quickly as the modernization
20	A. It would be the minister's office.	20	activities were promoted by OLG as a
21	1391 Q. And that's not you?	21	means to provide significant revenue
22	A. That's not me, no. It would have	22	to the province at the time when the
23	gone through the ministry, you know, for fact	23	government is seeking any new
24	checks, but ultimately, the final changes, if made,	24	revenues to help balance the budget
25	would then go through the minister's office.	25	in five years."
Page 387		Page 389	
1	1392 Q. When you say "the minister's	1	Do you see that?
2	office," you mean Mr. Shortill and Stransky?	2	A. I do see that reference.
3	A. The staff in there, yes.	3	1404 Q. Does that refresh your
4	1393 Q. Okay.	4	recollection, sir, of the process the government
5	A. It may not only be them. I'm not	5	was seeking Cabinet approval very quickly?
6	sure whether there was other people in the	6	A. You asked the term for a
7	minister's office engaged.	7	fast-track. Sometimes it has a specific meaning.
8	1394 Q. Okay. This proposal was a	8	1405 Q. I understand.
9	fast-track to Cabinet; right?	9	A. I think people were working hard
10	A. I'm not sure it was. Normally a	10	right across the ministry in a whole bunch of
11	fast-track to Cabinet, it bypasses a Cabinet	11	different areas to find savings for the fiscal
12	committee. My understanding was it was going to	12	plan.
13	the jobs in economic committee on --	13	1406 Q. To put into the 2012 budget?
14	1395 Q. On a fast-track?	14	A. That's correct.
15	A. I'm not sure if it was fast-track.	15	1407 Q. Whether they were accurate or not?
16	Fast-track, I think, is when it bypasses the	16	A. Everyone was working as hard as
17	committee process, directly to Cabinet.	17	they could as fast as they could with the best
18	1396 Q. Do you know Ms. Watkins?	18	information they had.
19	A. Is that Tanya Watkins?	19	1408 Q. Okay. You would agree that it's
20	1397 Q. Yes.	20	important to make decisions that have serious
21	A. Yes.	21	consequences for stakeholders based on the best
22	1398 Q. And she worked in gaming policy?	22	information available?
23	A. That's correct.	23	A. That they would have, yes.
24	1399 Q. And do you recall her applying for	24	1409 Q. Or could get?
25	a job or promotion in the summer of 2012?	25	A. In the world of budget secrecy,

Page 390	<p>1 people are working towards a budget date. There's</p> <p>2 limits to the extent that they have the time and</p> <p>3 ability to get the information. And some of it may</p> <p>4 or may not have been available.</p> <p>5 1410 Q. So where she says, "The government</p> <p>6 was very interested in seeking Cabinet approval</p> <p>7 very quickly," would you agree with that</p> <p>8 characterization of the process?</p> <p>9 A. I'm trying to think of relative --</p> <p>10 there's a lot of decisions that went through</p> <p>11 Cabinet in a very timely basis. It's hard to say</p> <p>12 relatively to the whole budget process.</p> <p>13 1411 Q. Ms. Watkins was involved in this</p> <p>14 process quite extensively throughout 2011 and 2012;</p> <p>15 right?</p> <p>16 A. I presume she was if she was</p> <p>17 working in the division.</p> <p>18 1412 Q. Just turn over the page, please.</p> <p>19 We discussed how Minister Duncan and Mr. McGuinty</p> <p>20 decided to --</p> <p>21 MR. RATCLIFFE: Counsel, you keep using</p> <p>22 the word "decided," and I think Mr. Orsini</p> <p>23 corrected you and said it was a recommendation.</p> <p>24 MR. LISUS: I think we've used</p> <p>25 different words. Mr. Orsini has said direction.</p>	Page 392	<p>1 Cabinet."</p> <p>2 Do you see that?</p> <p>3 A. I do see that.</p> <p>4 1417 Q. "We all had to operate under a</p> <p>5 cone of silence until the</p> <p>6 activities were made public in</p> <p>7 March."</p> <p>8 Do you see that?</p> <p>9 A. That's in reference to budget</p> <p>10 secrecy.</p> <p>11 1418 Q. And this made it difficult to</p> <p>12 manage other interested ministries, agencies, and</p> <p>13 stakeholders; right?</p> <p>14 A. Because of budget secrecy.</p> <p>15 1419 Q. Now, budget secrecy, sir, is a</p> <p>16 practice which is designed to ensure that the</p> <p>17 proposed budget is kept confidential before it's</p> <p>18 announced; right?</p> <p>19 A. Correct.</p> <p>20 1420 Q. It is not an excuse to make</p> <p>21 decisions that will have significant impacts on</p> <p>22 people's livelihoods without an understanding of</p> <p>23 the consequences of those decisions; correct?</p> <p>24 A. If your reference is to the</p> <p>25 information available on hand to make the decision,</p>
Page 391	<p>1 He said --</p> <p>2 MR. RATCLIFFE: That was going forward</p> <p>3 to Cabinet. Not a decision.</p> <p>4 MR. LISUS: See if I can satisfy you,</p> <p>5 Mr. Ratcliffe.</p> <p>6 BY MR. LISUS:</p> <p>7 1413 Q. We discussed how Mr. McGuinty and</p> <p>8 Mr. Duncan decided not to follow the recommendation</p> <p>9 of staff with respect to the phased-out reduction</p> <p>10 of SARP funding; right? We discussed that.</p> <p>11 February 2.</p> <p>12 A. We discussed the direction we were</p> <p>13 given to go a different approach.</p> <p>14 1414 Q. Right. And I want to just</p> <p>15 reference a comment made by Ms. Watkins in this</p> <p>16 document, second last hashmark from the bottom.</p> <p>17 A. On what page, sorry?</p> <p>18 1415 Q. Second page.</p> <p>19 A. Okay.</p> <p>20 1416 Q. "We did face roadblocks. We had</p> <p>21 information gaps which we had to</p> <p>22 fill, so we had to put pressure on</p> <p>23 OLG and ourselves to fill them. We</p> <p>24 had significant changes in</p> <p>25 direction basically on the eve of</p>	Page 393	<p>1 there is 50 pages of budget addendum that talked</p> <p>2 about all the different expenditure reductions</p> <p>3 right across government, all relying on the best</p> <p>4 information we had at the time.</p> <p>5 1421 Q. I'm going to give you my question</p> <p>6 again. The concept of budget secrecy, you agreed,</p> <p>7 is designed to ensure that the proposed budget is</p> <p>8 kept confidential before it's announced. We agreed</p> <p>9 on that; right?</p> <p>10 A. Yes.</p> <p>11 1422 Q. Okay. But the concept of budget</p> <p>12 secrecy does not excuse the government from</p> <p>13 properly identifying and measuring the consequences</p> <p>14 of significant changes it's going to make to</p> <p>15 programs or commercial arrangements; fair?</p> <p>16 R/F MR. ROSENBERG: Objection. You're</p> <p>17 asking the witness a legal question.</p> <p>18 MR. LISUS: No, I'm not. I'm asking</p> <p>19 him a process question about budget secrecy.</p> <p>20 THE WITNESS: I would say -- there was</p> <p>21 an assessment done at the time to determine is</p> <p>22 there enough information to make a decision, and</p> <p>23 asking staff, as we saw with the Q and A, they</p> <p>24 provide an assessment of what the impact would be</p> <p>25 on the industry.</p>

Page 394

1 MR. LISUS: I'm going to mark
 2 Ms. Watkins' notes as an exhibit for
 3 identification.
 4 MR. MATTHEWS: This is the next exhibit
 5 for identification. This is CRE88295, Exhibit M.
 6 EXHIBIT NO. M for Identification:
 7 CRE0088295 and CRE0088298.
 8 BY MR. LISUS:
 9 1423 Q. Let me ask you a question, sir.
 10 If a budget decision is made at Cabinet and before
 11 it is announced or implemented in the budget, it
 12 learns that it didn't have the necessary
 13 information to understand the impact and
 14 consequences of the decision, I presume the
 15 decision could be revisited; right?
 16 A. Until the budget is announced, the
 17 decisions could be revisited.
 18 1424 Q. Right. And if the government
 19 became aware that it had made a decision on
 20 incomplete or inaccurate information, it would be
 21 incumbent upon it -- and that the consequences of
 22 making a decision on inaccurate or incomplete
 23 information would be very harmful, it would be
 24 incumbent upon it to reevaluate or revisit the
 25 decision; correct?

Page 395

1 A. In fact, we would often ask --
 2 even prior to announcement if there was more
 3 information, we'd ask staff to take another look.
 4 In fact, I did on this particular case ask them.
 5 1425 Q. Now, after the government decision
 6 on February 2 and 3rd and the Cabinet decision on
 7 February 8, there was a communication plan put in
 8 place; correct?
 9 MR. RATCLIFFE: Mr. Lisus, I think you
 10 used "decision" again when you're talking about
 11 February 2nd and February 3. I think the
 12 distinction is important, and Mr. Orsini has
 13 indicated that that was a recommendation. It
 14 wasn't a decision.
 15 MR. LISUS: It's my position, sir,
 16 that's what the decision was made, as I think you
 17 know.
 18 BY MR. LISUS:
 19 1426 Q. Now, a communication plan was
 20 agreed upon; correct?
 21 A. Communication plan is developed.
 22 I'm not quite sure when it would be rolled out or
 23 finalized.
 24 1427 Q. What was really decided --
 25 MR. LISUS: For your purposes,

Page 396

1 Mr. Ratcliffe, I'll say February 8.
 2 BY MR. LISUS:
 3 1428 Q. What was really decided on
 4 February 8 was that the larger OLG modernization
 5 plan was going to be approved; correct?
 6 A. On February 8th, the elements of
 7 OLG's modernization plan was approved.
 8 1429 Q. And the decision around the
 9 termination of revenue sharing was just one small
 10 implementation feature of the larger modernization
 11 plan; correct?
 12 A. It was a key element of the plan.
 13 1430 Q. Right. There was a key element as
 14 to how the plan was to be operationalized; right?
 15 A. As part of the overall OLG
 16 modernization. In revenue generation, the ultimate
 17 goal was to generate sufficient revenues to help
 18 the government hit its fiscal targets.
 19 1431 Q. Correct. And the way to do that
 20 was the OLG modernization plan large lottery gaming
 21 efficiencies; right?
 22 A. Yes, correct.
 23 1432 Q. And the revenue sharing with the
 24 horse racing industry was one part of
 25 operationalizing that larger plan?

Page 397

1 A. It was one part of their
 2 modernization plan.
 3 1433 Q. And the revenue-sharing aspect
 4 wasn't the modernization plan. It was one of the
 5 steps taken to implement or operationalize the
 6 modernization plan; fair?
 7 A. It was -- as part of their plan,
 8 they wanted to relocate slots from racetracks to
 9 their urban casinos.
 10 1434 Q. And to operationalize the
 11 relocation of slot machines from racetracks to
 12 urban casinos, there was an uncoupling of revenue
 13 share from those slot machines at racetracks;
 14 right?
 15 A. There's a variety of ways to
 16 implement it, but certainly that would be one way.
 17 1435 Q. Okay. Thank you. Now, one of the
 18 reasons I was asking you about that, sir, is that
 19 was an -- the larger OLG modernization plan was an
 20 important decision that had been taken in February,
 21 early February, February 8; correct?
 22 A. The Cabinet did decide OLG's
 23 modernization plan on February 8.
 24 1436 Q. As far as you understood, as
 25 you've explained to me, the revenue sharing was

Page 398

1 just one aspect of it?

2 A. Was an aspect of it.

3 1437 Q. Right. And you believe that the

4 consequences of that decision would be a reduction

5 in the number of racetracks and a right sizing of

6 the horse racing sector; right?

7 A. So the analysis that the ministry

8 produced would be a smaller footprint for the -- in

9 some of the materials shows the number of tracks

10 that the ministry believed would continue under

11 that scenario.

12 1438 Q. The ministry and you did not

13 believe that there would be a total collapse of the

14 industry; correct?

15 A. I don't believe we had that view

16 based on the information I saw.

17 1439 Q. Okay. And part of the

18 communications plan with respect to this decision

19 was that Minister Duncan was going to make

20 reference to it in a speech that he was giving at

21 the Economic Club on February 13; right?

22 A. He does a preconditioning speech

23 before every budget.

24 1440 Q. Okay. What do you mean by "a

25 preconditioning speech"?

Page 399

1 A. Well, he sets some broad

2 parameters leading up to the budget, you know, the

3 fiscal challenges, some of the tough decisions that

4 the government would have to make, you know,

5 basically setting the scene for -- in lead-up to

6 the budget.

7 1441 Q. I want to show you an email,

8 CRE209040. This begins with an email to you

9 attaching the latest draft of the proposed

10 minister's speech for Monday.

11 A. Okay.

12 1442 Q. And the minister appears to have

13 requested your and others' feedback. We've got the

14 draft of the minister's preconditioning speech;

15 right?

16 A. I see that dated February 8th.

17 1443 Q. And then on February 9th,

18 Mr. Valido says -- there's some comments, and he

19 inserts an overall comment on horse racing and

20 says:

21 "We suggest this be reworked

22 significantly to moderate. The

23 minister can frame the issue of

24 excessive financial support to the

25 sector, and it is not sustainable

Page 400

1 and under review.

2 But as the speech is written,

3 this reads pretty much as a decision

4 that has been taken, and this is the

5 communication of it. We thought

6 that was to be held until the week

7 of February 20 for announcement, and

8 the speech was to allude to it, but

9 not announce the cancellation."

10 Do you see that?

11 A. I see the reference.

12 1444 Q. Do you remember there being a

13 discussion about what Minister Duncan should say

14 about the decision that had been taken on SARP

15 revenue shares?

16 A. A lot of the preconditioning

17 speeches don't get into the budget-specific

18 announcements. So it's a question of that the

19 budget itself would announce a lot of details, so

20 I'm not quite sure --

21 1445 Q. Who's being preconditioned with

22 this speech? The horse racing sector?

23 A. I think in general, the speech is

24 to talk to the general public in lead-up to a

25 budget.

Page 401

1 1446 Q. Right, but I presume one of the

2 objects of preconditioning in a preconditioning

3 speech is to precondition stakeholders in a

4 particular budgetary decision; fair?

5 A. Not necessarily that every

6 stakeholder gets informed in advance or

7 preconditioned in advance.

8 1447 Q. I understand. To the extent that

9 a stakeholder is getting informed in a

10 preconditioning speech, the purpose of doing that

11 is to precondition that stakeholder for the budget

12 decision that's been made about them; fair?

13 A. So, again, the speech may or may

14 not precondition.

15 1448 Q. Sir, we know that Mr. Duncan's

16 speech referred to the horse racing sector; right?

17 A. Correct.

18 MR. RATCLIFFE: Well, Counsel, he's

19 answered your question. You asked if there was

20 something where a stakeholder was going to be

21 affected as part of -- and whether that would be

22 addressed as part of the precondition speech, and

23 Mr. Orsini said in some cases yes, and some cases

24 no.

25 BY MR. LISUS:

<p style="text-align: right;">Page 402</p> <p>1 1449 Q. We know the horse racing sector 2 was referred to in Mr. Duncan's February 13 speech; 3 correct? 4 A. That's what I understand. 5 1450 Q. All right. And the reason the 6 horse racing sector was referred to in this 7 preconditioning speech was to precondition them for 8 the coming communication of the decision that had 9 been made on February 8th; right? 10 A. So the budget speech could 11 identify a number of areas and a review. 12 1451 Q. I don't want to talk about 13 hypothetical, sir. Let's talk about this case. We 14 know this speech which you reviewed made specific 15 reference to the horse racing sector; correct? 16 A. It did make reference to the horse 17 racing sector. 18 1452 Q. Right. And it made reference to 19 the horse racing industry for the purposes of 20 preconditioning it to the decision that had been 21 made on February 8th and would be subsequently 22 communicated with the budget; right? 23 A. It could have been the intent, 24 yes. 25 1453 Q. That was the intent, sir.</p>	<p style="text-align: right;">Page 404</p> <p>1 1457 Q. I see. And so when would the 2 decision be final? 3 A. In practical terms, when it went 4 to print. 5 1458 Q. Okay. And tabled in the 6 legislature? 7 A. Yes. 8 1459 Q. Which was when? 9 A. I can't recall the budget date. 10 1460 Q. March? 11 A. It would be towards the end of 12 March. 13 1461 Q. Okay. 14 A. That's when it was tabled in the 15 legislature. It's printed a week before. 16 1462 Q. And in the period between the 17 Cabinet decision and when the decision goes to 18 print, the government wouldn't want to take any 19 steps to destabilize a sector or industry that was 20 going to be impacted by a budget decision; right? 21 A. Could you repeat that again for 22 me, please. 23 1463 Q. In the period between a decision 24 having been made by Cabinet and its implementation 25 in a tabled budget, the government would not</p>
<p style="text-align: right;">Page 403</p> <p>1 A. To communicate to the sector that 2 their area was under review. 3 1454 Q. Yes. 4 A. I think that's a fair assessment. 5 1455 Q. It's also a fair assessment that 6 as of February 13, the area wasn't under review. A 7 decision had been made that 14 years of revenue 8 sharing was going to end with no transition 9 support; right? 10 A. So the decision -- the ultimate 11 decision would have been communicated or planned to 12 be communicated at this stage in the budget. The 13 question in the speech is how much information to 14 share at that time, and that was a judgment call 15 made at that time. 16 1456 Q. And the judgment call that was 17 made at the time was to communicate that their 18 sector was under review, but it wasn't an accurate 19 communication; right? 20 A. Until the government makes an 21 announcement -- as you said so yourself, the 22 Cabinet can always change their mind, but until a 23 budget announcement, it is still under review 24 because the government has ultimate choice of 25 changing it.</p>	<p style="text-align: right;">Page 405</p> <p>1 undertake any steps to destabilize a stakeholder 2 that was going to be impacted by the budget 3 decision that had been taken. 4 A. I mean, that is conjecture. 5 There's a lot of things the government was 6 including in the budget that had significant impact 7 right across the board. And they weren't 8 communicating on all those areas. On some areas 9 they were communicating. 10 1464 Q. It wouldn't have been appropriate 11 for the government to undertake a communications 12 campaign designed to destabilize a stakeholder that 13 was going to be affected by a budget decision. Can 14 we agree on that, Mr. Orsini? 15 A. I think it's more along the lines 16 that the details of any decision would be included 17 in the budget. We had a chance to present the full 18 picture. 19 If you present one piece of it prior to 20 and not talk about the whole bullet hitting a 21 fiscal target and balancing the budget, you don't 22 have the broad context, which is why a lot of the 23 details is included with the budget with the broad 24 context to go with it. 25 1465 Q. So it wouldn't be appropriate to</p>

<p style="text-align: right;">Page 406</p> <p>1 communicate one piece of a budget decision? 2 A. Yeah, it may or may not. 3 1466 Q. And it wouldn't be appropriate to 4 deliberately have a communication strategy designed 5 to destabilize a stakeholder that was going to be 6 affected by a budget decision; correct? 7 A. So you're saying there would be 8 communication to destabilize? 9 1467 Q. Yes. 10 A. Part of the communications 11 strategy is to help explain a decision so people 12 understand why those tough decisions were made. 13 1468 Q. I agree. It isn't any part of a 14 communication strategy to frighten stakeholders 15 about a budget decision that hasn't been 16 communicated in the budget yet; right? 17 A. Until you had the broad context, 18 sometimes people don't fully understand. 19 1469 Q. That's why you wouldn't 20 deliberately try to frighten them with government 21 communications? 22 A. You wouldn't want to present it 23 out of context. 24 1470 Q. Right. You were aware, sir, in 25 February 2012 that the OLG was not operationally</p>	<p style="text-align: right;">Page 408</p> <p>1 announce the end of slots at tracks 2 Monday but to use it as an example 3 of a program that was out of sync 4 and needing close review. 5 Suggesting it was likely toast but 6 not saying that. I don't think 7 MO" -- 8 That's the Ministry of Finance office; correct? 9 A. So can I just read this? 10 1475 Q. Yes. Do you see where Mr. Goodwin 11 says to you: 12 "I can live with that because 13 the objective for Monday was not to 14 announce the end of slots at tracks 15 Monday but to use it as an example 16 of a program that was out of sync 17 and needing close review. 18 Suggesting it was likely toast but 19 not saying that. I don't think 20 MO" -- 21 That's the Ministry of Finance, Mr. Duncan's 22 office. 23 A. It normally is an abbreviation for 24 minister's office. 25 1476 Q. Right.</p>
<p style="text-align: right;">Page 407</p> <p>1 ready to answer questions about the impact of the 2 decision made about SARP revenue share? 3 A. I think there was always more 4 details. Even with a Cabinet decision, even with a 5 budget announcement, there's always details you 6 have to work through to be prepared to answer all 7 the technical questions that might follow. 8 1471 Q. I want to have you look at an 9 email, CRE32059. 10 MR. MATTHEWS: This we'll mark this 11 Exhibit 29, CRE209040. 12 EXHIBIT NO. 29: CRE0209040. 13 BY MR. LISUS: 14 1472 Q. CRE32059. 15 MR. ROSENBERG: I would like Exhibit 29 16 marked identification. 17 BY MR. LISUS: 18 1473 Q. You're with me here, Mr. Orsini? 19 A. So I'm looking at a Document 20 Number 1209, and it's an email between Barry and 21 Elizabeth, and I've gotten an email trail. 22 1474 Q. Yes. And Barry Goodwin says to 23 you: 24 "I can live with that because 25 the objective for Monday was not to</p>	<p style="text-align: right;">Page 409</p> <p>1 "-- or OLG or MOF." 2 That's the civil service side of Finance; correct? 3 A. That's how I read that. 4 1477 Q. -- "are ready to handle an 5 announcement of the program 6 cancellation. OLG is not 7 operationally ready to answer 8 questions about impact, so the more 9 specificity and direction that is 10 shared Monday, the more our risk 11 goes up." 12 Right? 13 A. For not being able to respond to 14 questions. 15 1478 Q. Neither the political staff in the 16 minister's office or OLG or Ministry of Finance 17 staff were ready to handle an announcement of 18 program cancellation as of February 10; right? 19 A. From that, it appears so. 20 1479 Q. And OLG was not operationally 21 ready to answer questions about the impact; 22 correct? 23 A. Or the details associated with the 24 program. 25 1480 Q. And the reason they weren't</p>

<p style="text-align: right;">Page 410</p> <p>1 operationally ready to answer questions about 2 impact or details is because they didn't know what 3 the impact or details would be? 4 A. Yeah, they would still be working 5 that out. 6 1481 Q. Okay. And that's the same with 7 Finance and the minister's office; correct? 8 A. I think there's always more 9 details that folks will have to work through. 10 MR. LISUS: That's the next exhibit. 11 MR. MATTHEWS: Exhibit 30. 12 EXHIBIT NO. 30: CRE0032059. 13 BY MR. LISUS: 14 1482 Q. And are you aware, sir, that 15 Mr. Phillips testified that, as you've seen, they 16 didn't recommend the termination of the revenue 17 share. OLG did not recommend that; correct? 18 A. You mentioned that yesterday. 19 1483 Q. And he also testified that between 20 the time of OLG's recommendation to continue 21 funding through consolidated revenue fund transfer 22 payments and Minister Duncan and Minister 23 McGuinty's direction to go to zero with no 24 transition support, there was no new consultation 25 with industry or stakeholders? Are you aware of</p> <p style="text-align: right;">Page 411</p> <p>1 that? 2 A. It may be during the budget 3 secrecy black-out. So I don't assume they would 4 have been consulted. 5 1484 Q. What's the purpose of having 6 consultations with people when you consult with 7 them about a completely different decision? 8 R/F MR. ROSENBERG: Objection. 9 MR. RATCLIFFE: Why are you asking -- 10 BY MR. LISUS: 11 1485 Q. I'm trying to understand how 12 government works, sir. What is the purpose of 13 having a 12-month consultation process about a 14 completely different decision? 15 A. I can't attest to what they 16 consulted on. 17 1486 Q. Okay. 18 A. Whether they were consulting on 19 different options or not. I know that government 20 has to make decisions leading up to a budget. They 21 do that every year, and they make tough decisions. 22 And as part of that decision-making 23 process, they go into budget secrecy at some point 24 where they're not consulting to the same degree as 25 they may have before or even after.</p>	<p style="text-align: right;">Page 412</p> <p>1 1487 Q. They have to make tough decisions 2 fairly; right? 3 A. Based on the best information they 4 have at the time. 5 1488 Q. They have to make tough decisions 6 responsibly; right? 7 A. Based on the best information they 8 have at the time. 9 1489 Q. They have to make tough decisions 10 in good faith? 11 A. Based on the best information they 12 have at the time. 13 1490 Q. They have to implement their tough 14 decisions properly and responsibly and in good 15 faith; correct? 16 A. Based on the best information they 17 have at the time. 18 1491 Q. Based on the best information that 19 is available to them; fair? 20 A. Available to them at that time. 21 1492 Q. Right. Here's what Mr. Phillips 22 told me: 23 Q. "Between the time the OLG made 24 its 84-page report and 25 recommendation to the government and</p> <p style="text-align: right;">Page 413</p> <p>1 it decided to go to zero in February 2 2012, there were no new studies; 3 right? 4 A. No. 5 Q. No new information? 6 A. Not that I'm aware of. 7 Q. And no more consultations? 8 A. Again, not that I'm aware of 9 that the government does on its own. 10 Q. Because I haven't seen any. 11 A. OLG didn't conduct any. 12 Q. All right. And certainly go to 13 zero was a very, very substantial 14 change from what OLG recommended? 15 A. It was a change, yes, a 16 substantial change. 17 Q. And what OLG recommended was a 18 recommendation made after a very 19 thorough and transparent 20 consultation of stakeholders; 21 correct? 22 A. Yes. 23 Q. And between the time of OLG's 24 recommendation and the government's 25 decision to go to zero, there was no</p>
---	--

Page 414	<p>1 more consultation or transparency; 2 right? 3 A. Not by OLG. 4 Q. And you're not aware of any by 5 the government; correct? 6 A. I'm not aware of any by the 7 government. 8 Q. And I understand it wasn't your 9 decision, Mr. Phillips, but you were 10 aware and OLG was aware that there 11 would be an immediate negative 12 impact on the breeding community 13 when the decision was announced; 14 right? 15 A. Yes. The uncertainty relative 16 to the future of both some of the 17 track locations and the funding. 18 Q. And the value of horses to be 19 bred and the market for those 20 horses; correct? 21 A. Again, less in our purview 22 but -- 23 Q. Generally. 24 A. As observers, we would 25 understand that, yes."</p>	Page 416	<p>1 OLG's board of directors under the 2 leadership of Chair Paul Godfrey." 3 A. I see reference in this note to 4 that effect. 5 1495 Q. Was it your understanding, sir, 6 that the OLG board of directors supported and 7 recommended the elimination of revenue sharing 8 effective March 13th with no transition support? 9 A. I'm not aware of that specific 10 proposal going to the board. I did not speak to 11 the chair. The minister may have. 12 1496 Q. Thank you. Are you aware that 13 Mr. Snobelen in February made public comments that 14 were highly critical of what he understood to be 15 from Minister Duncan's speech a government, a 16 pending government decision to eliminate revenue 17 share? 18 A. Appending? I'm not quite sure 19 what that means. 20 MR. RATCLIFFE: Counsel, how is this 21 relevant? 22 BY MR. LISUS: 23 1497 Q. A pending government decision. 24 A. Oh, a pending. He was critical of 25 the minister's speech about a pending government</p>
Page 415	<p>1 Did you understand there was no consultations, no 2 transparency? 3 MR. RATCLIFFE: Mr. Lisus, I think 4 you're just going over the same territory. You 5 asked Mr. Orsini multiple questions. He said that 6 the decision is made on the best available evidence 7 at the time. You're free to make whatever legal 8 argument you want based upon that, but... 9 BY MR. LISUS: 10 1493 Q. Mr. Orsini, it's also said in the 11 minister's speaking notes for the February 8 12 Cabinet meeting that the decision to cancel or 13 eliminate revenue share effective March 13 with no 14 transition support was supported by the OLG chair 15 and board of directors. Are you aware of that? 16 MR. RATCLIFFE: Can you show him the 17 document, please. 18 BY MR. LISUS: 19 1494 Q. Yes, I'll give it to you, but I'll 20 read it. 21 "I have brought forward a 22 proposal that I believe balances 23 modernization of the OLG with 24 responsible gambling goals. The 25 proposal has the full support of</p>	Page 417	<p>1 decision. 2 1498 Q. To eliminate revenue sharing. 3 A. And his comments before the budget 4 or after the budget? 5 1499 Q. Before the budget, there were 6 comments he made publicly in the Toronto Sun. 7 A. So he was writing on the topic 8 before the Ontario budget. 9 1500 Q. Yes. 10 MR. RATCLIFFE: Do you have a copy of 11 that? 12 MR. LISUS: Sure. It's Exhibit 9 on 13 the examination of Mr. Snobelen. 14 THE WITNESS: It's too small to read. 15 BY MR. LISUS: 16 1501 Q. I mean, it's a matter of record 17 that he made comments in the press. I'm just 18 asking you, sir, if you remember that. 19 A. I don't remember the details, but 20 I do, now that you show me, remember some 21 commentary. 22 1502 Q. Okay. And do you remember that he 23 also made statements he released on Ontario News 24 Watch, the video service, that were very critical 25 of what he understood the minister to be</p>

Seelster Farms Inc., et al. vs Her Majesty the Queen In Right of Ontario, et al.
 ORSINI, STEPHEN on February 13, 2018

<p style="text-align: right;">Page 418</p> <p>1 preconditioning for, i.e., the termination of 2 revenue sharing? Do you remember he made -- 3 A. I don't remember the specifics in 4 the News Watch you were saying. No, I don't 5 remember that specifically. 6 1503 Q. All right. And I want to ask you 7 about the certain radio ads that were run in 8 February 2012, February 26-27, 2012. Do you 9 remember there being radio ads? 10 A. I remember hearing about radio 11 ads. 12 1504 Q. I want to show you a transcription 13 of the radio ad. CRE0081193. This is an email 14 from Barry Goodwin to you, and it says: 15 "Here is a copy from the two 16 radio ads." 17 A. I see them. 18 1505 Q. Have you read them? 19 A. I'm just going through them now. 20 These are political ads. 21 1506 Q. What does that mean? 22 A. They're not reviewed or endorsed 23 or commented by the public service. 24 1507 Q. Why is Mr. Goodwin sending these 25 to you?</p>	<p style="text-align: right;">Page 420</p> <p>1 1513 Q. What's your reaction to these ads, 2 sir? 3 A. I don't comment on political ads. 4 1514 Q. I'm asking you to comment on them. 5 A. I don't have a reaction to 6 political ads. 7 1515 Q. You have no reaction to these ads? 8 A. Well, I don't comment on political 9 ads because it's not the purview of the public 10 service to comment on political ads. 11 1516 Q. Why were political ads run? 12 A. You're going to have to ask the 13 authors of the political ads. 14 1517 Q. Who would I ask? 15 A. I'm not even sure who would have 16 designed these ads. 17 1518 Q. Who do you think designed them? 18 A. I would be speculating. I don't 19 know -- 20 1519 Q. I want your best information or 21 belief. What would be your best belief? 22 A. It would be the Premier's office. 23 1520 Q. Okay. Would it be Mr. Gene in the 24 Premier's office? 25 A. I don't know. It would be</p>
<p style="text-align: right;">Page 419</p> <p>1 A. It may be that we heard of ads, 2 and we weren't aware of them, and he's providing 3 what the ads were about. 4 1508 Q. Were you aware of these ads before 5 they ran? 6 A. I was unaware. I believe I was 7 unaware. 8 1509 Q. Were you aware that these 9 political ads were going to run? 10 A. I was not aware of when they were 11 running. I wouldn't comment on them even if I did. 12 1510 Q. So why would Mr. Goodwin send you 13 these radio ads if you weren't aware of them? And 14 I understand you to be saying you had no 15 involvement in them; correct? 16 A. Correct. 17 1511 Q. So why would Mr. Goodwin be 18 sending them to you? 19 A. I don't know other than he may 20 have thought they were regular ads, and when he saw 21 the text, shared them. 22 1512 Q. What about the text would cause 23 him to share them with you? 24 A. They're political ads. We don't 25 comment on political ads.</p>	<p style="text-align: right;">Page 421</p> <p>1 possibly someone in the communication's side. 2 1521 Q. Well, I asked Mr. Shortill, and he 3 didn't know. I asked Mr. Bardeesy, and he didn't 4 know. I asked Mr. Stransky, and he didn't know. 5 I'll ask Mr. Gene, but I'm just trying to find out 6 who composed and authorized and directed these ads 7 to be run. 8 MR. RATCLIFFE: Mr. Orsini said he 9 didn't know. 10 BY MR. LISUS: 11 1522 Q. Let's just take a look at these 12 ads. It says: 13 "Did you know that Tim Hudak's 14 PCs started a secret subsidy for a 15 few very wealthy racetrack owners?" 16 That's not an accurate characterization of the 17 Slots at Racetrack Program revenue share; right? 18 A. I wouldn't comment on a political 19 ad. 20 1523 Q. Sir -- 21 A. And I wouldn't comment on a 22 political ad. 23 1524 Q. Mr. Orsini, you're here to give 24 evidence on a cross-examination for the purposes of 25 a lawsuit, okay?</p>

Page 422	Page 424
<p>1 A. You're asking me to comment on a 2 political ad. I don't comment on political ads. 3 1525 Q. I'm asking you to agree that this 4 ad's characterization of the Slots at Racetrack 5 Program as a secret subsidy for a few very wealthy 6 racetrack owners was a lie. 7 A. It's a political ad, and I don't 8 comment on political ads. 9 MR. RATCLIFFE: He indicated he didn't 10 know where it came from or who wrote it, and if you 11 want to make your argument, you're free to make 12 your argument in terms of what it says and whether 13 it's accurate or not, but he has no comment on it. 14 BY MR. LISUS: 15 1526 Q. Let me ask you a question, sir. 16 Do you remember yesterday we spoke about the 17 various speaking points for the estimates 18 committee? Do you remember that? 19 A. I do remember. 20 1527 Q. And do you remember those speaking 21 points talking about SARP as a good program that 22 benefits the agricultural sector and -- 23 A. It talked about how the SARP 24 program was helping the sector. 25 1528 Q. So can you help me understand how</p>	<p>1 breeders' breeding season? 2 A. I did not know. 3 1534 Q. And we've discussed already how 4 the breeding sector had gone through a period of 5 instability in 2009 and 2010 and the steps taken 6 with the ministry support from the Ontario Racing 7 Program to stabilize the sector in 2010, 2011? 8 A. I recall our conversation on that. 9 1535 Q. Do you recall there being news 10 releases about the government's commitment to the 11 long-term future of racing and breeding; right? 12 A. I recall that discussion. 13 1536 Q. And do you recall the ORC making 14 industry releases and posting its plans on its 15 website? 16 A. I recall seeing those postings. 17 1537 Q. And then we see the Premier's 18 office putting out ads like this to destabilize the 19 breeding sector. Do you think that -- 20 MR. RATCLIFFE: Counsel, you don't know 21 that it's the Premier's office. 22 MR. LISUS: Well, who could it possibly 23 be? 24 MR. RATCLIFFE: Well, I don't know. 25 Eventually you'll find out, I guess. It's not</p>
<p>1 in the space of a few months the SARP program goes 2 from being a good program helping the sector to a 3 secret subsidy for a few very wealthy racetrack 4 owners? 5 MR. RATCLIFFE: He said he can't 6 comment on that. He has no comment. 7 BY MR. LISUS: 8 1529 Q. Do you think this is a 9 communication made in good faith, sir? 10 A. I don't know who authored it and 11 their intent. It's a political ad, and, as I said, 12 I don't comment on political ads. 13 1530 Q. Can you identify any good intent 14 in the text of this ad? 15 MR. RATCLIFFE: He said that he can't 16 comment on it. 17 BY MR. LISUS: 18 1531 Q. Are you aware when the breeders' 19 breeding season is? 20 A. No. We talked a bit about it 21 yesterday. 22 1532 Q. Do you know that it's in February? 23 A. No, I did not. 24 1533 Q. Did you know that these ads were 25 being released right at the beginning of the</p>	<p>1 clear it's relevant in any way, and he's indicated 2 he can't comment on it. So you're free to use it 3 whatever way you want. 4 BY MR. LISUS: 5 1538 Q. You and I can agree, sir, that 6 these ads have nothing to do with gaming policy? 7 A. They're political ads. 8 1539 Q. They're vicious political ads; 9 right? 10 A. They're political ads. 11 1540 Q. You won't agree that they're 12 vicious? 13 A. I don't comment on political ads. 14 1541 Q. Did you know that Cabinet 15 ministers were disseminating these ads? 16 A. I did not know that. 17 1542 Q. Do you think it's appropriate for 18 Cabinet ministers to be disseminating ads like 19 this? 20 R/F MR. RATCLIFFE: He's not going to 21 answer that. We've covered this over and over 22 again. You're free to make whatever argument you 23 want. 24 BY MR. LISUS: 25 1543 Q. If the ads came from the Premier's</p>

Page 426

1 office, you would have had to have been aware of
2 it; right?
3 A. Not necessarily.
4 1544 Q. You're telling me that someone in
5 the Premier's office --
6 A. When it comes to political ads, we
7 don't comment on them.
8 1545 Q. I didn't finish the question.
9 MR. RATCLIFFE: Well --
10 BY MR. LISUS:
11 1546 Q. Are you telling me that someone in
12 the Premier's office can put out radio ads to the
13 public without the Premier being aware?
14 R/F MR. RATCLIFFE: He's not answering any
15 more questions about this. We've covered this
16 territory over and over again.
17 BY MR. LISUS:
18 1547 Q. I want to show you Exhibit 13 on
19 Mr. Shortill's examination. Take a look at that.
20 Laurel Broten, who was Laurel Broten in February
21 2012? Was she a Cabinet minister?
22 A. She left Cabinet.
23 1548 Q. She lost her seat in the 2011
24 election, didn't she? She's a former Cabinet
25 minister; right?

Page 427

1 A. Yes, she was a former Cabinet
2 minister.
3 1549 Q. And what she is doing is sending
4 an email out, which said from Laurel Broten,
5 Sunday, 26 February 2012, and it's disseminating
6 this radio ad, and she signs the email
7 Laurel Broten, Minister of Education. Do you see
8 that?
9 A. I do see that.
10 1550 Q. So it appears a Cabinet minister
11 is disseminating these ads; right? Do you see
12 that?
13 A. I see it's a Liberal party ad. So
14 it's a political ad done by the Ontario --
15 1551 Q. Sent by the Minister of Education;
16 correct?
17 A. I can't attest to --
18 1552 Q. She would have been at the Cabinet
19 meeting on February 8th; right?
20 A. I don't know who was in
21 attendance.
22 1553 Q. Okay. Can you offer any
23 explanation for why the government's position seems
24 to have so radically changed in the space of just a
25 few months about the Slots at Racetrack Program

Page 428

1 from being a good program that supported the rural
2 agricultural sector to being a secret subsidy for a
3 few wealthy racetrack owners?
4 A. I can't comment on that last
5 reference.
6 1554 Q. Do you recall being surprised by
7 the radio ads when you became aware of them?
8 A. I don't comment on political ads.
9 1555 Q. I'm having trouble understanding
10 your answer. I'm not asking you to comment on the
11 political ads. I'm asking if you were surprised --
12 A. The political side of a government
13 does ads all the time. We don't comment on them.
14 They come and go, and it -- so when they come in,
15 when we do see them, we don't comment on them if we
16 do see them. We may not see them.
17 1556 Q. The political side of the
18 government is the side that makes the decisions?
19 A. Decisions made by government, so
20 the decision to do the ad would be a political
21 decision.
22 1557 Q. The decision to cancel --
23 A. That would be a Cabinet decision
24 made by government.
25 1558 Q. And the Cabinet decision or the

Page 429

1 elected ministers, correct, like Minister Broten?
2 A. Collectively, Cabinet makes a
3 decision.
4 1559 Q. We can agree that those decisions
5 should be made in good faith; right?
6 A. Those decisions are made as part
7 of Cabinet deliberation that factors in a number of
8 attributes.
9 1560 Q. If ads like this have nothing to
10 do with the civil service, why is it being emailed
11 around to the civil service?
12 MR. RATCLIFFE: Mr. Lisus, you keep
13 beating this drum, but --
14 MR. LISUS: I'm just trying to
15 understand what's going on.
16 MR. RATCLIFFE: He's answered your
17 question.
18 MR. LISUS: No, he said he doesn't
19 comment on political ads.
20 MR. RATCLIFFE: Well, no, quite apart
21 from that. He said he didn't know why it was being
22 circulated out there, and you keep asking that
23 question.
24 BY MR. LISUS:
25 1561 Q. Did you ever ask Mr. Duncan about

<p style="text-align: right;">Page 430</p> <p>1 this ad?</p> <p>2 A. No.</p> <p>3 1562 Q. Did you ever ask anyone in</p> <p>4 Minister Duncan's office on the political side</p> <p>5 about the ad?</p> <p>6 A. No.</p> <p>7 MR. LISUS: How are we coming along</p> <p>8 with Project 76, Mr. Ratcliffe?</p> <p>9 MR. RATCLIFFE: I understand that --</p> <p>10 it's here?</p> <p>11 MR. KORT: Yes.</p> <p>12 MR. LISUS: That's the next exhibit.</p> <p>13 MR. MATTHEWS: Radio ads, CRE81193,</p> <p>14 Exhibit 31.</p> <p>15 MR. ROSENBERG: Why are we marking this</p> <p>16 as an exhibit?</p> <p>17 MR. MATTHEWS: Because it's an email to</p> <p>18 him.</p> <p>19 EXHIBIT NO. 31: CRE0081193.</p> <p>20 MR. RATCLIFFE: There's a</p> <p>21 clarification, I guess, just in terms of which</p> <p>22 ministry it was.</p> <p>23 MR. KORT: At the time, it was the</p> <p>24 Ministry of Economic Development and Growth. That</p> <p>25 has a different name.</p>	<p style="text-align: right;">Page 432</p> <p>1 "Discussed issues on a call</p> <p>2 with Mr. McMeekin this afternoon.</p> <p>3 As agriculture minister, he was</p> <p>4 hoping that there was a more</p> <p>5 in-depth economic impact analysis</p> <p>6 that had been done of the strategy</p> <p>7 of one-year withdrawal of subsidy.</p> <p>8 We clarified some direct</p> <p>9 employment numbers with him on the</p> <p>10 phone and said ORC was doing a few</p> <p>11 scenarios for next week, but</p> <p>12 frankly, we do not have a detailed</p> <p>13 study of the sort that he was hoping</p> <p>14 we had."</p> <p>15 Do you see that?</p> <p>16 A. I see that reference.</p> <p>17 1568 Q. Do you recall Minister McMeekin</p> <p>18 questioning why there wasn't a more detailed study</p> <p>19 and Mr. Goodwin saying there wasn't one?</p> <p>20 A. I do recall seeing this email, not</p> <p>21 the details, per se, but...</p> <p>22 1569 Q. And you responded saying:</p> <p>23 "Thanks for the update. If we</p> <p>24 can get OEP to do some economic</p> <p>25 analysis that shows the net impact</p>
<p style="text-align: right;">Page 431</p> <p>1 THE WITNESS: That's the current name</p> <p>2 now. The previous name --</p> <p>3 MR. KORT: Economic Development and</p> <p>4 Trade.</p> <p>5 THE WITNESS: Yes, Economic Development</p> <p>6 and Trade. That would have been the ministry</p> <p>7 charged with oversight of the review.</p> <p>8 BY MR. LISUS:</p> <p>9 1563 Q. Now, after Minister Duncan's</p> <p>10 speech, the industry reacted to the message; right?</p> <p>11 A. I don't recall exactly.</p> <p>12 1564 Q. Did you become aware of Minister</p> <p>13 McMeekin expressing unhappiness about the way the</p> <p>14 decision was made?</p> <p>15 A. As minister for Agriculture and</p> <p>16 Rural Affairs?</p> <p>17 1565 Q. Yes.</p> <p>18 A. He may be getting feedback from</p> <p>19 the sector, and he may have commented. I don't</p> <p>20 recall.</p> <p>21 1566 Q. Okay. I want to show you an email</p> <p>22 sequence, 106086. This begins with an email from</p> <p>23 Barry Goodwin to you February 17. Okay?</p> <p>24 A. Okay.</p> <p>25 1567 Q. And Mr. Goodwin is telling you:</p>	<p style="text-align: right;">Page 433</p> <p>1 of cutting horse racing subsidies</p> <p>2 and investing in health care and</p> <p>3 education."</p> <p>4 That's what your solution was to the issue of</p> <p>5 Minister McMeekin being concerned that there wasn't</p> <p>6 a more in-depth economic analysis; right?</p> <p>7 A. He was asking them to do some more</p> <p>8 economic analysis looking at both sides of the</p> <p>9 equation.</p> <p>10 1570 Q. Okay. This is 11 days after the</p> <p>11 decision has been taken at Cabinet; correct?</p> <p>12 A. This is February 17th.</p> <p>13 1571 Q. February 19th.</p> <p>14 A. 19th.</p> <p>15 1572 Q. Yes.</p> <p>16 A. And the decision was on February</p> <p>17 18th.</p> <p>18 1573 Q. February 8.</p> <p>19 A. 8.</p> <p>20 1574 Q. Right?</p> <p>21 A. Yes.</p> <p>22 1575 Q. If we go on on February 2nd,</p> <p>23 Mr. Goodwin is speaking with Ms. Yeigh?</p> <p>24 A. February 2nd?</p> <p>25 1576 Q. February 19.</p>

Page 434

1 A. Okay. Yeah.
 2 1577 Q. Ms. Yeigh and Mr. Goodwin are
 3 emailing each other. Ms. Yeigh is saying:
 4 "Bit of another factor for us
 5 to think about -- spoke with someone
 6 who mentioned the quick removal of
 7 these funds will result in excess
 8 horse supply which could cause us
 9 further negative press if they are
 10 euthanized."
 11 Do you see that?
 12 A. I do see that.
 13 1578 Q. So the question of euthanization
 14 of horses is now emerging as an issue that hadn't
 15 been thought about; right?
 16 A. So I can't say hasn't been thought
 17 of, but it does surface here in the email system.
 18 1579 Q. Okay. And do you see Mr. Goodwin
 19 says:
 20 "Yes, I assumed some horses
 21 would be put down rather than
 22 maintained. Especially if
 23 neighbouring jurisdictions also
 24 getting smaller. Confidentially a
 25 few strange exchanges with T."

Page 435

1 Do you understand that to be Ted McMeekin?
 2 A. I don't have a sense of who T is.
 3 1580 Q. Okay.
 4 "-- exchanges with T late
 5 Friday with Blair, and that got him
 6 edgy about the information we've
 7 been using and how confident to be.
 8 Let's discuss on Tuesday morning so
 9 you can be fully plugged into
 10 efforts to make calls to other
 11 provinces and to reassure him a
 12 little. Was edgy. Meeting with
 13 Minister McMeekin not so good."
 14 Do you see that?
 15 A. I do see that.
 16 1581 Q. You see Mr. Elizabeth Yeigh says
 17 above:
 18 "McMeekin feeling left out in
 19 the cold no doubt."
 20 See that?
 21 A. I see that reference as well.
 22 1582 Q. You understood that Minister
 23 McMeekin had not been briefed in advance on a
 24 decision made by Mr. McGuinty and Mr. Duncan to
 25 cancel revenue share?

Page 436

1 MR. RATCLIFFE: Counsel, there it goes
 2 again, a decision by Mr. Duncan and the former
 3 Premier to cancel the decision. Perhaps you can
 4 reframe that.
 5 BY MR. LISUS:
 6 1583 Q. The direction given by Minister
 7 Duncan and Minister McGuinty to cancel revenue
 8 share with no transition support and one year's
 9 notice.
 10 MR. RATCLIFFE: I think
 11 "recommendation" is the word that we agreed upon
 12 previously.
 13 MR. LISUS: I don't think we agreed on
 14 anything.
 15 THE WITNESS: So your question is?
 16 BY MR. LISUS:
 17 1584 Q. Are you aware that Minister
 18 McMeekin was not included in that decision-making
 19 process?
 20 A. Again, I wasn't at that meeting
 21 with the Premier and what communications it had
 22 with his office. I presume he was at the Cabinet
 23 discussion, although I can't --
 24 1585 Q. He doesn't seem to have
 25 understood, sir, what was being recommended and

Page 437

1 agreed upon.
 2 A. So I can't -- I can't explain or
 3 assess what his level of understanding at
 4 Cabinet -- if he was there or not.
 5 1586 Q. Okay. Were you aware of comments
 6 he made publicly subsequently about the manner in
 7 which the decision was made?
 8 A. I don't recall him specifically
 9 commenting on the process.
 10 1587 Q. Do you recall him saying that the
 11 government dropped the ball?
 12 MR. RATCLIFFE: Maybe you could show
 13 him the comment.
 14 THE WITNESS: I don't recall him saying
 15 those words.
 16 BY MR. LISUS:
 17 1588 Q. Do you recall Kathleen Wynne
 18 making public comments about the manner in which
 19 the decision was made?
 20 A. I can't recall specifically her
 21 comments, but I recall something about process.
 22 1589 Q. Well, do you recall her saying in
 23 2014 that she always -- well, one of the things she
 24 says was:
 25 "I think you know that some of

<p style="text-align: right;">Page 438</p> <p>1 the decisions that were made were 2 possibly not as well thought through 3 as they needed to be, and my 4 predecessor knew that. The former 5 Minister of Agriculture, Food and 6 Rural Affairs understood that we 7 needed to take a second look at some 8 of those decisions that were made." 9 You're aware that she said that? 10 A. Not those precise words. 11 1590 Q. Okay. Do you have any idea why 12 Minister McMeekin was feeling left out in the cold? 13 A. No. 14 MR. LISUS: That's the next exhibit. 15 MR. ROSENBERG: For identification. 16 It's an email exchange between Mr. Goodwin and 17 Ms. Yeigh. 18 MR. MATTHEWS: It begins with an email 19 exchange to Mr. Orsini who's subsequently copied on 20 a number of emails in the chain, so we're going to 21 mark it as the next number in sequence being 32. 22 MR. ROSENBERG: You have my objection. 23 EXHIBIT NO. 32: CRE0106086. 24 BY MR. LISUS: 25 1591 Q. You're aware that the Auditor</p>	<p style="text-align: right;">Page 440</p> <p>1 A. I don't know about the word 2 "improperly." I know as the Minister of 3 Agriculture and Food, she did express some concerns 4 about the issue and how the sector was being 5 affected by that decision. 6 1595 Q. Are you aware -- 7 A. I don't remember the specifics. 8 1596 Q. Are you aware that she said that 9 the decision was made without due consideration for 10 the impacts? 11 A. I don't know exactly what she was 12 referring to. 13 1597 Q. Okay. You directed after the 14 decision that the office of economic policy do 15 additional study; correct? 16 A. That's correct. 17 1598 Q. And you directed that it study the 18 impacts of the decision on the agricultural 19 industry, including employment; correct? 20 A. I asked them to do impact 21 analysis, impact on the sector and the reason why 22 the decision was made to fund health care and 23 education. I asked them to include that other 24 component. 25 1599 Q. Did they do that study for you?</p>
<p style="text-align: right;">Page 439</p> <p>1 General issued a report in 2014 that was very 2 critical of the way the decision to cancel the 3 revenue share was made? 4 A. I was aware of a report that was 5 done, but I don't recall the details. 6 1592 Q. Are you aware that the response 7 given to -- response prepared for Kathleen Wynne 8 who was then Premier to the Auditor General report 9 was to say: 10 "I've always argued the 11 decision to cancel the Slots at 12 Racetrack Program was not done 13 properly, which the Auditor General 14 confirms." 15 A. You're asking me to confirm 16 something I'm not aware of or can't recall the 17 specifics. 18 1593 Q. Okay. You weren't aware of that? 19 A. Is it referenced in the Auditor 20 General report? I'm just trying to understand the 21 reference. 22 1594 Q. Yes, it is. We'll come to that in 23 a little bit. Were you aware, sir, in 2013 that 24 Kathleen Wynne thought that the decision which was 25 made in February 2012 was made improperly?</p>	<p style="text-align: right;">Page 441</p> <p>1 A. They pulled together whatever 2 information they had at the time. 3 1600 Q. Do you recall if they presented it 4 to you? 5 A. I can't recall the specifics of 6 it, but they did come out with net impact numbers. 7 1601 Q. Okay. I want to show you a 8 document, CRE14699. And this was the study that 9 the office of economic policy did on March 14, 10 2012, or put out on March 14, 2012, which is about 11 five weeks after the decision was made; right? 12 A. It says a revised draft, so there 13 might have been earlier versions of it. I can't 14 comment either way. 15 1602 Q. Okay. And the office of economic 16 policy concluded that as a consequence of the 17 decision, job losses of 3,500 to 5,800 annually; 18 right? 19 A. I'm just looking for the -- 20 1603 Q. Under the conclusions on the first 21 page. 22 A. So they break it down. There's an 23 overall conclusion, and then there's subcomponents. 24 You're referring to one of the subcomponents of the 25 overall conclusion, and that does say 3,500 to</p>

Page 442

1 5,800.
 2 1604 Q. And a positive net impact on jobs
 3 and economic growth; right?
 4 A. Knowing where the funds were going
 5 to be reinvested in the economy.
 6 1605 Q. And annual employment gains of
 7 5,700 to 6,700; right?
 8 A. That's their estimate given the
 9 best information they had at the time.
 10 1606 Q. If SARP expenditures were
 11 reallocated to health care or education
 12 expenditure; right?
 13 A. Based on their analysis, yes.
 14 1607 Q. Okay. And so based on this
 15 document, it was decided that the decision would be
 16 maintained; correct?
 17 A. I'm not sure the decision was --
 18 had gone back to Cabinet, so --
 19 1608 Q. It didn't go back to Cabinet.
 20 A. That's my understanding.
 21 1609 Q. So Cabinet never took another look
 22 at this?
 23 A. I don't believe Cabinet did. It
 24 doesn't mean they didn't have conversations with
 25 ministers only.

Page 443

1 1610 Q. You don't know one way or another?
 2 A. I don't know one way or another.
 3 1611 Q. But you do know it didn't go back
 4 to Cabinet?
 5 A. It wasn't going back as a formal
 6 submission.
 7 MR. LISUS: That's the next exhibit,
 8 please.
 9 MR. MATTHEWS: 33.
 10 EXHIBIT NO. 33: CRE0214699.
 11 BY MR. LISUS:
 12 1612 Q. Do you recall when the decision
 13 was publically announced?
 14 A. In the March --
 15 1613 Q. March 12.
 16 A. Oh, March 12th budget.
 17 1614 Q. Yes, sir.
 18 A. I don't remember exactly.
 19 1615 Q. Not the budget, the OLG
 20 modernization report was March 12th which called
 21 for Slots at Racetrack Program to be drawn to a
 22 close; right?
 23 A. I don't recall exactly when the
 24 report came out.
 25 1616 Q. Okay. Take it from me it was

Page 444

1 March 12, okay, and on March 14th, we have a draft
 2 decision from the -- a draft analysis from the OEP;
 3 right?
 4 A. Correct. A revised draft.
 5 1617 Q. The horse is out of the barn;
 6 right? The decision has been publicly announced
 7 that SARP is going to be cancelled effective March
 8 2013; right?
 9 A. If your dates are correct.
 10 1618 Q. Are you aware that the first --
 11 the chair of the Ontario Racing Commission was
 12 informed of Cabinet's decision was by a phone call
 13 from Mr. Stransky the day before the March 12
 14 announcement?
 15 A. I wasn't aware of the timing of
 16 any communication between the minister's office and
 17 the chair.
 18 1619 Q. And recalling our discussion
 19 yesterday, the ORC was the regulator and had been
 20 involved in an extensive review of the program,
 21 right, racing program?
 22 A. That's correct.
 23 1620 Q. Here's what Mr. Seiling explained:
 24 Q. "In fact, you only found out
 25 about the decision, I understand,

Page 445

1 the evening before it was announced?
 2 A. Correct. Blair Stransky called
 3 me to tell me that the announcement
 4 was being made the next day. I
 5 asked him were they sure they
 6 understood what the ramifications
 7 were, that did they not need some
 8 outside advice. And they said, No,
 9 that he was -- they were quite
 10 comfortable, and they were going
 11 ahead.
 12 Q. So I will come back to that a
 13 little later on, but that's helpful.
 14 And when the announcement was made
 15 in March 2012, you understood -- so
 16 why don't you now just expand in
 17 terms of what you recall from your
 18 discussion with Mr. Stransky that
 19 evening.
 20 A. Mr. Stransky called me. He
 21 told me there would be an
 22 announcement made the next day on
 23 the ending of SARP. I asked him if
 24 he understood the impacts and that
 25 was he sure that the decision was

<p style="text-align: right;">Page 446</p> <p>1 based on sound advice and that did 2 they not need some expert advice, 3 and he said he was quite confident 4 and comfortable with the advice that 5 they had received. 6 Q. And when you said to him do you 7 understand the impacts, you're 8 referring to the impacts on the 9 horse racing industry? 10 A. Correct. 11 Q. And he assured you that he 12 understood it, and they were quite 13 comfortable with it? 14 A. Correct. I asked him if he 15 understood the impacts and should he 16 not be getting third party at 17 arm's-length advice, and he told me 18 they were quite comfortable with 19 their advice and their decision. 20 Q. All right. Thanks for that 21 clarification. Did you understand 22 immediately on being told what the 23 decision was that it would have 24 catastrophic impacts on the horse 25 racing industry?</p>	<p style="text-align: right;">Page 448</p> <p>1 sir? 2 A. I don't recall seeing that 3 conveyed to us. He would have relied on the 4 ministry's best analysis looking at the number of 5 racetracks that would continue and the job losses. 6 1623 Q. "He" being Mr. Stransky? 7 A. He'd be looking at the earlier 8 analysis that were done based on the best 9 information we had at the time. 10 1624 Q. But the best information you had 11 at the time didn't include anything from ORC, the 12 regulator; right? 13 A. So I can't rule out conversations 14 with them up to when we went into sort of budget 15 security. 16 1625 Q. Well, Mr. Seiling just did, as I 17 read to you; right? 18 A. So at some point, we would have 19 stopped communications with outside groups for that 20 reason. 21 1626 Q. Sir, Mr. Seiling said he was never 22 told anything about this decision. 23 A. I think that decision was all part 24 of, if I recall correctly, budget secrecy at the 25 time.</p>
<p style="text-align: right;">Page 447</p> <p>1 A. Yes. 2 Q. Did you understand that the 3 decision could cause a collapse of 4 the Ontario horse racing industry? 5 A. Yes. 6 Q. And you understood that almost 7 immediately; fair? 8 A. Yes, as did my board. I had 9 trouble trying to manage the board 10 who were distraught to the nth 11 degree, but, again, there was no 12 avenue for us to do anything as an 13 arm of government." 14 So you're aware, sir, that the night before the 15 decision was announced on March 12, 2012, the 16 Ministry of Finance called the regulator to inform 17 him; right? 18 A. Based on that sequence of events, 19 that's my understanding. 20 1621 Q. And you're also aware that the 21 regulator told him that this would have disastrous 22 consequences for the horse racing industry; right? 23 A. If that communication had been 24 transmitted. 25 1622 Q. Was that ever conveyed to you,</p>	<p style="text-align: right;">Page 449</p> <p>1 1627 Q. But budget secrecy isn't a reason 2 not to make a decision based on proper information; 3 right? 4 A. So the ministry, based on the 5 information they had at the time, came up with 6 their economic analysis. They revised it to 7 reflect changing circumstances, the best 8 information they had at the time, and that was 9 their assessment of the impacts. 10 1628 Q. I just want to understand 11 something. We're now March 11, 2012, okay, the day 12 before the government announces through its agency 13 OLG that it's going to terminate revenue 14 sharing with no transition; right? 15 A. Leading up to March 12. 16 1629 Q. Right. You've got Mr. Snobelen, a 17 former Cabinet minister and someone who's an expert 18 in horse racing, publically saying that ending 19 Slots at Racetrack Program revenue share will "kill 20 the industry." He's saying that in the newspaper; 21 right? 22 A. I don't recall those terms, but I 23 saw the article he wrote that you showed me. I 24 didn't read it. 25 1630 Q. You got the regulator telling</p>

Page 450	Page 452
<p>1 government that it's making a serious mistake. It 2 doesn't understand the impacts; right? 3 A. He was expressing concern. 4 1631 Q. Your study from the office of 5 economic policy as of March 14, two days after, is 6 still in draft; right? With me? 7 A. Yes. 8 1632 Q. Why? 9 A. A revised draft. 10 1633 Q. Why isn't the government taking 11 another look at this? 12 R/F MR. ROSENBERG: Objection. 13 THE WITNESS: It's part of the entire 14 budget process. So if you allow me just to step 15 back for a sec, looking at the entire budget 16 preparation process, our deficit was rising. The 17 rating agencies were further threatening to 18 downgrade the province. His fiscal target to 19 government had to meet -- 20 MR. RATCLIFFE: Let him finish. 21 THE WITNESS: There's a number of 22 expenditure management where the sector would not 23 be pleased at all with the potential impacts on 24 their operations. 25 BY MR. LISUS:</p>	<p>1 assessment on the need for reform and the need to 2 understand how best to move forward with a very 3 difficult decision. 4 BY MR. LISUS: 5 1637 Q. Made on completely inadequate 6 information; right? 7 A. Based on the best information we 8 had at the time. 9 1638 Q. But not based on the best 10 information that was available to you? 11 A. Within the restrictions of who we 12 can consult with, it was the best information we 13 had at the time. 14 1639 Q. After the panel was appointed, 15 there was a very rapid consultation period; right? 16 A. The panel was set up pretty 17 quickly. 18 1640 Q. And the panel went and spoke to 19 some people pretty quickly; right? 20 A. They did very extensive outreach. 21 They consulted with ministries and the sector. 22 1641 Q. And Mr. Wilkinson testified that 23 he reviewed a couple of financial statements and 24 knew immediately that the government's assumptions 25 were all wrong?</p>
<p>1 1634 Q. But we know that the government 2 goes back and substantially revises its decision 3 through the transition panel. We know it did that; 4 right? 5 A. As more and more information came 6 forward. 7 1635 Q. All of which was available to you 8 when the decision was made, sir. It was all there; 9 right? 10 A. I'm looking at the material that 11 came forward and based on the best information they 12 had at the time. 13 1636 Q. You know Mr. Snobelen said that 14 this decision was not Cabinet-ready? That was his 15 testimony. 16 MR. RATCLIFFE: In fairness to the 17 witness, Mr. Snobelen also made certain comments 18 later in the paper about the fact that cancellation 19 was a good idea, so I don't think you're being 20 entirely fair here in terms of putting certain 21 Snobelen statements to Mr. Orsini and not other 22 ones. 23 THE WITNESS: I think the government 24 appointing a three-person panel to really delve 25 into the issue was a way to try to get a better</p>	<p>1 MR. ROSENBERG: Counsel, to be fair to 2 the witness, the documents Mr. Wilkinson said he 3 reviewed postdated the decision to cancel SARP. 4 MR. LISUS: Well, fortunately there's a 5 record of everything Mr. Wilkinson said. 6 BY MR. LISUS: 7 1642 Q. Would you agree with me, sir, that 8 the government didn't properly analyze the impacts 9 of its decision? 10 A. The government made a decision 11 based on the best information they had at the time. 12 1643 Q. Is that your answer to my 13 question? You're going to keep repeating that? 14 A. It's the actual fact of what 15 decision they based on. In fact, if you look at 16 all their decisions, they base it on the best 17 information at the time, and they made adjustments 18 to some of their other decisions in the rollout of 19 the budget in 2012. 20 1644 Q. Here's what Mr. Seiling said: 21 "Tell me, sir, that prior to 22 the announcement on March 12, 2012, 23 that revenue sharing would end 24 March 31 of the following year, no 25 effort was made by OLG or the</p>

Page 454

1 government to seek the input of the
 2 ORC with respect to the horse racing
 3 industry?
 4 A. You would be correct."
 5 MR. RATCLIFFE: Well, you have
 6 Mr. Orsini's answer.
 7 BY MR. LISUS:
 8 1645 Q. Are you aware that Mr. Seiling
 9 wrote a letter in 2012 to Mr. Godfrey?
 10 A. I can't recall offhand. I
 11 wouldn't be surprised that he wrote, but I don't
 12 recall offhand.
 13 1646 Q. Did you support the appointment of
 14 the panel?
 15 A. It was a government decision.
 16 1647 Q. You didn't have a view on it?
 17 A. It came from Minister McMeekin, as
 18 I understand.
 19 1648 Q. I'm just asking you, sir, whether
 20 you personally supported the --
 21 A. I don't think we were asked for
 22 advice on that.
 23 1649 Q. Okay. And did you have a view
 24 personally?
 25 A. As I said, my professional advice

Page 455

1 is to support the government in the direction that
 2 they're taking.
 3 1650 Q. Okay. So you didn't have a view
 4 one way or the other?
 5 A. Other than to make sure that the
 6 Ministry of Finance could provide their best advice
 7 to the panel.
 8 1651 Q. Okay. And did you review the
 9 interim panel report when it came out?
 10 A. I don't think we had -- if anyone
 11 had, it might have been a technical review by the
 12 ministry. I don't recall having direct access to
 13 comment on the report itself. Not to say that the
 14 Ministry of Finance didn't have a chance to
 15 comment. I just don't recall myself.
 16 1652 Q. Did you read it?
 17 A. I did read it.
 18 1653 Q. Did it make sense to you?
 19 A. It talked about a number of
 20 things. The need for greater accountability, the
 21 need for greater value from the funds going into
 22 the system, and the need for additional supports.
 23 1654 Q. Is that your take on the --
 24 A. I don't recall the specifics of
 25 the report, to be honest with you. I'm giving my

Page 456

1 general impression.
 2 1655 Q. Did you recall the report saying
 3 what the consequences of the decision would be?
 4 MR. ROSENBERG: Counsel, while we're
 5 paused, I'll put my objection on the record. Why
 6 are we asking this witness his recollection of the
 7 Auditor General's report? It's a document that
 8 exists.
 9 MR. LISUS: I don't understand your
 10 objection.
 11 MR. ROSENBERG: My objection is it's
 12 now 3 o'clock in the afternoon on the second day of
 13 your examination. Why are we asking this witness
 14 if he recalls certain things from the Auditor
 15 General's report? What's the possible relevance of
 16 that?
 17 MR. LISUS: I'm not asking him that.
 18 MR. ROSENBERG: You just were.
 19 MR. RATCLIFFE: Or the interim panel
 20 report.
 21 MR. ROSENBERG: Interim panel report.
 22 MR. LISUS: I am going to ask him about
 23 the Auditor General's report.
 24 MR. ROSENBERG: Then I'll have the same
 25 objection. All I'm saying is you're putting

Page 457

1 documents before the witness and asking his
 2 recollection of them.
 3 MR. LISUS: No, I'm not.
 4 BY MR. LISUS:
 5 1656 Q. So I think I asked you whether you
 6 read this report when it came out.
 7 A. I believe I would have.
 8 1657 Q. Okay. And did you read the panel
 9 concluded that there were 20- to 30,000 full-time
 10 equivalents as the estimated employment impact of
 11 Ontario horse racing? It's on page 8 of the
 12 report.
 13 A. So it refers to a number of
 14 studies that was identifying the number of --
 15 1658 Q. It says:
 16 "All in all, the panel feels
 17 comfortable with the range of 20- to
 18 30,000 FTEs as the estimated
 19 employment impact of Ontario horse
 20 racing."
 21 Okay?
 22 A. That's the panel's interim
 23 conclusion.
 24 1659 Q. Right. And that's very different
 25 than, firstly, the information that was put to

<p style="text-align: right;">Page 458</p> <p>1 Cabinet, which was only direct employment at 2 racetracks; right? 3 A. You're referring to the economic 4 analysis from the Ministry of Finance; is that what 5 you're referring to? 6 1660 Q. In the Cabinet submission, that 7 was the only economic impact? 8 MR. RATCLIFFE: Which part of the 9 Cabinet submission are you referring to? 10 MR. LISUS: Top questions and answers 11 for Cabinet discussion. 12 BY MR. LISUS: 13 1661 Q. "With full elimination of the 14 slots funding effective March 31, 15 2013, Ministry of Finance estimates 16 that approximately 1,900 to 2,200 17 full- and part-time jobs would be 18 lost. The panel concluded between 19 20- and 30,000 full-time equivalent 20 jobs would be lost." 21 Right? 22 A. That's what was referenced in the 23 interim report. 24 1662 Q. Any idea how many standardbred 25 horses there were in Ontario in Q1, 2012?</p>	<p style="text-align: right;">Page 460</p> <p>1 of Agriculture, Food and Rural Affairs lead the 2 review. The panel reported to Minister McMeekin, 3 as I recall. 4 1667 Q. Did you know Dave Gene? 5 A. I didn't know him well. 6 1668 Q. What was his role? 7 A. I understood he was in the 8 Premier's office, but I didn't know his exact role. 9 He didn't attend to our fiscal prep committees. He 10 didn't attend to a lot of committees I was a party 11 to. 12 1669 Q. Were you aware that the panel 13 found that the industry would collapse even with 14 \$50 million transition support over three years? 15 A. I can't recall the words, but they 16 did express concern for the sector. 17 1670 Q. And were you aware that the panel 18 concluded that there would be 20- to 30,000 job 19 losses? 20 A. That's the reference you made 21 earlier. 22 1671 Q. And are you aware that the panel 23 concluded that there would be euthanization of 24 between 7,500 and 13,000 horses in early 2013? 25 A. I don't recall the number in the</p>
<p style="text-align: right;">Page 459</p> <p>1 A. I don't recall. 2 1663 Q. Were you aware, sir, that after 3 the recommendation -- after the decision to go to 4 zero with no transition support, the government did 5 a deal with the NDP to avoid a no-confidence vote 6 on the budget to provide \$50 million transition 7 support over three years to the industry? Were you 8 aware of that? 9 A. I heard there was some 10 discussions, and the government was considering 11 transition support. 12 1664 Q. Of 50 million over three years? 13 A. I think I understand it 50 million 14 over three years. I didn't know the origins of 15 that at the time. 16 1665 Q. Okay. You're aware that the 17 transition panel said that that was completely 18 inadequate? 19 A. I recall they're saying it wasn't 20 enough. 21 1666 Q. Okay. And were you aware as to 22 whether or not the Ministry of Finance political 23 staff supported the transition panel? 24 A. I wouldn't know. It was a 25 decision the government made to have the Minister</p>	<p style="text-align: right;">Page 461</p> <p>1 report, but I do recall the issue coming up. 2 1672 Q. Do you recall the panel being 3 aware that there likely would be significant 4 emotional impacts, including suicides, on breeders 5 and owners of horses as a result of euthanization? 6 A. I think -- what I recall, they did 7 express concerns about the impact on the sector. 8 1673 Q. Were you aware, sir, in first 9 quarter 2012 that there was no horse racing 10 industry anywhere in the world that did not have 11 government support of some form? 12 A. So I think there was a reference 13 into some of our material that identified there was 14 some level of support. 15 1674 Q. Everywhere, in every horse racing 16 industry in the world; right? 17 A. I think -- it certainly was in the 18 interim panel's report, if I recall correctly. 19 1675 Q. Right. Did you know that in the 20 first quarter of 2012? 21 A. The government was maintaining 22 support through the Pari-Mutuel Tax Reduction. 23 1676 Q. But you came to understand that 24 that was completely inadequate and would cause 25 collapse of the industry?</p>

<p style="text-align: right;">Page 462</p> <p>1 A. We knew that withdraw of the Slots 2 at Racetrack Program would shrink the sector down. 3 The question that the panel came back with was 4 advice to government on the amount of support it 5 would need to keep it at a more sustainable track 6 as opposed to a smaller footprint as a result of 7 the withdrawal of the funding. And their 8 recommendations came forward to government in terms 9 of what additional supports the sector would need. 10 1677 Q. I want to read you what 11 Mr. Wilkinson said with respect to horses and job 12 losses when I examined him in this case. 13 Q. "If we go over the page to 20, 14 you have in bold that the panel has 15 received expert advice that 16 provisions should be made for the 17 humane dispatch and disposal of 18 7,500 to 13,000 horses in early 19 2013? 20 A. Yeah, from the veterinarians. 21 It was -- it was a meeting that most 22 sears my memory of doing this work 23 for the -- and I would say for the 24 three of us. We were -- we were 25 actually worried about the horses</p>	<p style="text-align: right;">Page 464</p> <p>1 interim report says the panel has 2 also spoken with experts who advise 3 that similar mass herd reductions in 4 other jurisdictions have resulted in 5 extreme emotional distress for 6 owners that can be life-threatening. 7 A. Yes. So we need -- those 8 people would have to be supported in 9 that kind of nightmarish scenario. 10 In regard to that nightmarish 11 scenario, we have drawn the 12 conclusion that it was very 13 important that people would be 14 provided with emotional counselling. 15 It was going to be very traumatic. 16 Q. And the panel was therefore 17 recommending supports to encourage 18 euthanizing horses and a support 19 mechanism for horse owners in 20 emotional distress; correct? 21 A. Yes. 22 Q. And the reason you were making 23 that recommendation is because the 24 panel was concerned that some horse 25 owners would be so traumatized by</p>
<p style="text-align: right;">Page 463</p> <p>1 and assured (ph) that we actually 2 had to worry about the veterinarians 3 who would be asked to do that and 4 that ultimately they would not 5 because of experience that had 6 happened. We had to make sure that 7 we were not -- that they would not 8 because of experience that had 9 happened in Ireland when a 10 similar -- when the zoonotic 11 outbreak had forced the putting down 12 of -- veterinarians having to put 13 down horses, and those veterinarians 14 had committed suicide, so it was 15 very, very disturbing. 16 Q. And not only did it result in 17 suicide for veterinarians, it 18 results in suicides and 19 life-threatening events for owners; 20 right? 21 A. All I remember is what the 22 veterinarians told us. They were 23 speaking on behalf of veterinarians. 24 Q. Well, the reason I asked the 25 question, sir, is because the</p>	<p style="text-align: right;">Page 465</p> <p>1 the prospect of having to kill their 2 horses that they wouldn't -- that 3 they wouldn't be able to care for 4 them properly. You would have a 5 mass of horses in distress from 6 inadequate care and feeding. 7 A. That or released into the wild, 8 I remember that also, where they 9 would be subject to predation by 10 wolves and things. Yeah, it was 11 terrible. Terrible." 12 MR. RATCLIFFE: Mr. Lisus, you've got 13 those questions and answers from Mr. Wilkinson. 14 How is this relevant in terms of asking Mr. Orsini 15 about it? 16 MR. LISUS: Well, I have a 17 decision-maker in front of me, Mr. Ratcliffe. I'm 18 trying to understand whether Mr. Orsini was aware 19 of the sequence of the decisions that was made. 20 THE WITNESS: So Cabinet is the 21 decision-maker. We did talk to the panel. They 22 did share some of their concerns about the 23 euthanization of horses. It was referenced in 24 their report. And they had raised that with us 25 when we met with the panel.</p>

Page 466	Page 468
<p>1 BY MR. LISUS: 2 1678 Q. And are you telling me, sir, that 3 none of this information was available to the 4 ministry when it put this material together for 5 Cabinet? 6 A. I think the panel was appointed to 7 delve into much greater detail than we had at the 8 time. 9 1679 Q. Well, that's what I don't 10 understand, sir, because as we discussed a minute 11 ago, in February you had Mr. Snobelen warning you 12 publicly in the media, and it was ignored; right? 13 A. I think the view of concerns from 14 the sector from all the budget decisions that were 15 made from, you know, ending the ONTC, the 16 Northlander, to privatizing Service Ontario. All 17 these decisions -- 18 1680 Q. Did you appoint a special panel to 19 look into the Northlander? 20 A. It was under -- 21 1681 Q. Did you appoint a special panel 22 to -- 23 MR. RATCLIFFE: Just let him finish 24 his answer. 25 THE WITNESS: It wasn't a panel. It</p>	<p>1 recommended go to zero on one year's notice with no 2 transition support. No one. The OLG didn't. Your 3 staff didn't. The ORC didn't. No one recommended 4 that; right? 5 MR. ROSENBERG: To be fair to the 6 witness, Counsel, McKinsey certainly did. 7 MR. LISUS: No, they didn't. 8 THE WITNESS: I can't comment on 9 McKinsey. 10 BY MR. LISUS: 11 1687 Q. You weren't aware of that; right? 12 A. I wasn't aware of McKinsey. 13 MR. LISUS: There you go. 14 BY MR. LISUS: 15 1688 Q. No one recommended it, sir, to 16 Cabinet. It was Minister Duncan and Minister 17 McGuinty in a meeting. 18 A. Cabinet has to make a decision of 19 how to find funds to pay for health care and 20 education. 21 1689 Q. We can agree that McKinsey, 22 whatever it said, isn't anywhere in the Cabinet 23 material; right? 24 A. I'm not aware of the work of 25 McKinsey.</p>
Page 467	Page 469
<p>1 was a group -- it was an advisory committee. 2 BY MR. LISUS: 3 1682 Q. Okay. 4 A. And the government did make 5 changes to that decision as well. 6 1683 Q. Okay. But my point, sir, is that 7 you were warned before the decision was 8 implemented. That's my point, sir. Mr. Snobelen 9 warned you publically. Mr. Seiling warned you; 10 right? 11 A. All that information is taken in 12 at the time. The government was faced with very 13 difficult circumstances, a rising deficit, further 14 downgrades. 15 1684 Q. The deficit was 13 billion? 16 A. At the time, it was tracking to 17 15 billion from 14 billion. 18 1685 Q. Deficit was 15 billion. The 19 ministry had recommended two phased approaches; 20 right? 21 A. They had developed different 22 options, including different phasing lengths of 23 time. 24 1686 Q. No one who knew anything or had 25 spent any amount of time studying this question</p>	<p>1 1690 Q. And you signed off on the contents 2 of the Cabinet material; correct? 3 A. I did sign off on the Cabinet 4 submission. 5 1691 Q. And you're aware that McKinsey 6 spoke with the panel; right? 7 A. I wouldn't be surprised, but I 8 don't recall. 9 1692 Q. Are you aware that Mr. Wilkinson 10 sent an email to Mr. Gene on August 3rd, two weeks 11 before the release of the interim panel report? 12 A. Not aware of that. 13 1693 Q. Okay. 14 MR. RATCLIFFE: It's 3:20 there now. 15 I'm wondering if now is a good time to take a 16 ten-minute break. 17 MR. LISUS: Sure. 18 -- Recess at 3:19 p.m. -- 19 -- Upon resuming at 3:31 p.m. -- 20 BY MR. LISUS: 21 1694 Q. I want to show you Exhibit 16 on 22 the examination of Mr. Shortill. We're now in the 23 summer months of 2012. And were you following the 24 progress of the industry panel? 25 A. I attended the first few meetings</p>

Page 470	Page 472
<p>1 to ensure that the Finance had full support, the 2 panel. I can't claim I went to all the meetings, 3 though.</p>	<p>1 horse sales occur in early 2 September. With the uncertainty 3 that currently exists in the</p>
<p>4 1695 Q. Okay. But you weren't speaking 5 with any of the panel members about their thinking 6 as it evolved?</p>	<p>4 industry, buyers will not have 5 confidence which will negatively 6 impact the prices paid for</p>
<p>7 A. I was speaking -- probably if any 8 panel member I spoke to is John Wilkinson.</p>	<p>7 yearlings crystalizing industry 8 financial losses."</p>
<p>9 1696 Q. I wanted to show you 16 on 10 Mr. Shortill's examination. This is a horse racing 11 industry transition panel update, which was a 12 presentation made to Finance.</p>	<p>9 Do you see that? 10 A. I see that reference. 11 1703 Q. Did you become aware that yearling 12 prices were down approximately 40 to 50 percent in 13 the September yearling auctions?</p>
<p>13 A. So this was transmitted from 14 OMAFRA to Finance. I'm just flipping through it 15 now.</p>	<p>14 A. Is it 50 percent to the number -- 15 it's not clear here. It says prices. I presume 16 that's what they refer.</p>
<p>16 1697 Q. I take it, Mr. Orsini, that once 17 the transition panel was appointed and was going to 18 do its work and make its recommendation, there 19 wasn't any role for you, was there?</p>	<p>17 1704 Q. There's some evidence on 18 Mr. Snobelen's examination, and there's a document 19 that values were down 50 percent on yearlings. 20 Were you aware of that kind of drop?</p>
<p>20 A. I think we were providing -- the 21 government establishing a panel to give advice to 22 the government through the Minister of Agriculture, 23 Food and Rural Affairs. So our role would be 24 providing facts to here's our understanding to the 25 panel as well as OLG and the ORC.</p>	<p>21 A. I wasn't aware of that. 22 1705 Q. Were you aware that the Auditor 23 General's report says the values dropped 60 24 percent? 25 A. I don't recall that specific</p>
Page 471	Page 473
<p>1 1698 Q. You and your staff weren't going 2 to make recommendations?</p>	<p>1 number. 2 1706 Q. The Auditor General, to be clear, 3 says:</p>
<p>4 A. No. They were collecting 5 information, and they were the ones that were 6 making recommendations.</p>	<p>4 "Breeders' activities have 5 dropped by about 60 percent in 6 2013-14." 7 Did you know that?</p>
<p>6 1699 Q. So the recommendation was going to 7 be made by the panel to the political staff and --</p>	<p>8 A. Not knowing what "activities" 9 mean, I wasn't aware of the amount.</p>
<p>8 A. But to the Minister of 9 Agriculture, Food and Rural Affairs.</p>	<p>10 1707 Q. What I wanted to ask you about, 11 though, sir, with respect to this deck was that the 12 panel was saying to government that timing is 13 urgent. The industry needs a clear signal from 14 government about what the future of the industry 15 will look like prior to September 1, 2012; right?</p>
<p>10 1700 Q. But whether or not the panel's 11 recommendation were accepted was going to be a 12 decision made by who? The Premier's office? 13 Minister of Finance?</p>	<p>16 A. That's what it says. 17 1708 Q. Were you aware of that at the 18 time? 19 A. I think the understanding of 20 something in early fall was a timing consideration. 21 I do recall something to that effect.</p>
<p>14 A. It would be another Cabinet 15 decision.</p>	<p>22 1709 Q. Okay. 23 A. That the Cabinet would need to 24 make a decision by then.</p>
<p>16 1701 Q. Another Cabinet decision. All 17 right. And if we look at Exhibit 16, the panel is 18 reporting -- if you go to Slide 15, it says: 19 "Timing is urgent." 20 Are you with me there?</p>	<p>25 1710 Q. Were you aware that the panel said</p>
<p>21 A. I see that.</p>	
<p>22 1702 Q. "Horse racing industry has been 23 severely impacted by the 24 announcement of the cancellation of 25 SARP, 50 percent drop. Yearling</p>	

Page 474		Page 476	
1	that 300 million over 300 years was its recommended	1	improvements.
2	option?	2	1720 Q. You don't know about compensation
3	A. The 300 --	3	being paid to the racetracks?
4	1711 Q. Excuse me, 300 million over three	4	A. For what?
5	years.	5	1721 Q. For compensation for the
6	A. Was a recommended option?	6	cancellation of the revenue-sharing arrangement.
7	1712 Q. Yes.	7	You weren't involved in any of that?
8	A. I do recall they had a bigger	8	A. I don't recall that. I don't
9	transition fund than originally announced by	9	recall either way.
10	government or subsequently announced by the	10	1722 Q. I want to ask you about an email
11	government.	11	that Mr. Wilkinson sent to Mr. Gene on August the
12	1713 Q. I take it from your prior answers,	12	3rd.
13	you didn't have a view on that one way or the	13	A. Okay. This is -- it's going to
14	other?	14	take me a bit of -- can you put it on the screen,
15	A. The government was relying on	15	please. Is there a second page to this?
16	advice by the panel as to their next course of	16	1723 Q. The back.
17	action.	17	A. If you could go to the next page,
18	1714 Q. Okay. Are you aware, Mr. Orsini,	18	please. Okay.
19	that the government undertook negotiations with the	19	1724 Q. Now, the genesis of this email
20	breeding sector for support in 2013 and 2014?	20	exchange was a radio interview that Mr. Sorbara
21	A. I'm not sure the question and who	21	gave on August 2nd.
22	you're referring to. Government? Was it the	22	A. Of 2012.
23	ministry?	23	1725 Q. Correct. In which Mr. Sorbara
24	1715 Q. It's not clear who. I haven't	24	says to the radio host that he's just spoken with
25	been able to find out. I think that it was -- that	25	Mr. Wilkinson and the government is going to take
Page 475		Page 477	
1	Mr. Snobelen was involved in those negotiations.	1	another look or a second look at its decision to
2	Did you know that?	2	cancel the revenue share. Okay? I'm just giving
3	A. He would be a natural choice if	3	you that by way of background. That's the
4	there was negotiations. I don't know who	4	evidence. All right?
5	commissioned it.	5	A. I hear you.
6	1716 Q. Are you aware that the government	6	1726 Q. So Mr. Wilkinson -- and Mr. Gene
7	concluded agreements with the thoroughbred and	7	is very upset that Mr. Sorbara has spoken on the
8	quarter horse breeding sector for support in terms	8	radio about speaking to Mr. Wilkinson. Okay? Are
9	of breeders rewards? Are you aware of that?	9	you with me?
10	A. I'm not familiar with that.	10	A. I'm following you.
11	1717 Q. Are you aware, sir, that	11	1727 Q. All right. So Mr. Wilkinson
12	Mr. Snobelen was directed to withhold breeders	12	composes this email on Friday, August the 3rd, the
13	rewards from the standardbred sector because the	13	day after, to brief Mr. Gene and Mr. Shortill on
14	standardbreds had communicated their intention to	14	where the panel is at and what it's going to
15	go to court over the cancellation of revenue share?	15	recommend. Okay?
16	A. That I'm not aware of.	16	A. I'm following you.
17	1718 Q. Were you, sir, involved in the	17	1728 Q. All right. And Mr. Wilkinson
18	decision to compensate racetracks, to pay some	18	explained that one of the things that he was
19	80 odd million dollars to racetracks?	19	managing at this time was that the Premier's office
20	A. I don't know about the	20	and Ministry of Finance's office didn't necessarily
21	compensation. I know OLG engaged them in the	21	see the work of the panel the same way and that
22	licensing for the square footage for the rental	22	Finance's -- the Ministry of Finance, the political
23	space for the slots.	23	office, didn't see things the same way as OMAFRA,
24	1719 Q. You don't know --	24	and Mr. Wilkinson felt he had to get the Premier's
25	A. And then some capital	25	office to weigh in and support the direction the

<p style="text-align: right;">Page 478</p> <p>1 panel was taking. Okay? So he composed this email 2 to Mr. Gene. All right? 3 A. I see that. 4 1729 Q. Okay. And I take it, sir, you 5 weren't involved -- 6 A. No. 7 1730 Q. -- or aware of this? 8 A. No. I don't have any recollection 9 of this. 10 1731 Q. Mr. Rosenberg, a few minutes ago, 11 referred to the McKinsey report, and McKinsey had 12 produced a report on August 1, a draft on August 1, 13 which is the day before August 2 on my 14 calculations. 15 A. I would concur with your 16 calculations. 17 1732 Q. We agree on something. 18 And so on Friday, August the 3rd, 19 Mr. Wilkinson composes this email to Mr. Gene and 20 Mr. Keegan, and he says: 21 "Dave, we met with McKinsey 22 hired by Finance." 23 Were you aware that Finance had hired McKinsey? 24 A. I know OLG did, and I don't know 25 whether Finance adopted -- hired them at the same</p>	<p style="text-align: right;">Page 480</p> <p>1 1735 Q. I presume it's Michael Keegan. 2 A. Okay. It doesn't say. 3 1736 Q. Right. You've seen that 4 Mr. Keegan is CCed on the email? 5 A. Right. 6 1737 Q. He goes on to say: 7 "I will lay out the plan B and 8 time lines we need to avoid the 9 consequences of plan A, fiscal, 10 legal, and political, and give us an 11 advantage in the by-elections by 12 wedging both Tim and Andrea." 13 Do you understand what that means? 14 A. Don't understand, but it appears 15 political to me. 16 1738 Q. Okay. And he says: 17 "In a nutshell, the government 18 will announce 150 million a year of 19 stable government investments in the 20 horse racing industry. It will cost 21 300 million over three years to be 22 replaced by increased Pari-Mutuel 23 handle and the introduction of 24 sports betting run exclusively by 25 the horse racing industry using</p>
<p style="text-align: right;">Page 479</p> <p>1 time. 2 1733 Q. Do you believe that McKinsey was 3 hired in the summer of 2012? 4 A. I do recall McKinsey being hired. 5 I can't recall what contract and when. 6 1734 Q. And he says: 7 "Dave, we met with McKinsey 8 hired by Finance. He confirmed 9 under their wildly optimistic best 10 case scenario, i.e., no collapse of 11 the industry, we are looking at 12 13,000 job losses and 16,000 13 euthanized horses between 14 September 4 and December 31. 15 Collapse which we think is what will 16 actually happen is 23,000 job losses 17 and 27,000 dead horses. The 18 lawsuits coming our way will add up 19 to 500 million, and you will be 20 lucky to settle for 250 million." 21 He goes on to say: 22 "Michael has asked me to join 23 him on Wednesday morning. I will 24 lay out the plan B" -- 25 A. And that's Michael?</p>	<p style="text-align: right;">Page 481</p> <p>1 their existing infrastructure." 2 And he goes on to talk about: 3 "Politically our report will 4 say the government was right to 5 cancel the status quo." 6 Do you see that? 7 A. I see that reference. 8 1739 Q. And he says: 9 "SARP had become over time bad 10 public policy." 11 Do you see that? 12 A. I see that reference. 13 1740 Q. And you and I discussed yesterday 14 that certainly in 2010 and 2011, the position of 15 the government certainly to the estimates committee 16 for the purposes of budgets was that SARP was good 17 public policy; right? 18 A. I don't recall the word "good 19 public policy," but it talked about the benefits of 20 the sector. 21 1741 Q. And it didn't talk about any 22 detriments either; right? 23 A. It talked about the benefits to 24 the sector, as I recall. 25 1742 Q. Were you of the opinion, sir, in</p>

Page 482	Page 484
<p>1 2012 that SARP had become bad public policy? 2 A. I think at the time there's a 3 general view that there could be much better value 4 to taxpayers. 5 1743 Q. Okay. So given that it was 6 identified positively in 2011, when between 2011 7 and August 2012 did SARP become bad public policy? 8 A. I think there was a general sense, 9 and it's also in his email that there was -- wasn't 10 sufficient accountability. It could be better 11 value for the money that was going to the sector to 12 become more independent in terms of driving demand 13 as related to wagering. 14 1744 Q. So better accountability was 15 needed as to -- 16 A. I think there's a number of 17 examples cited. 18 1745 Q. Okay. And I asked Mr. Wilkinson 19 and Mr. Snobelen about that, and they both 20 confirmed, as I think you did yesterday, that there 21 weren't any accountability concerns with respect to 22 the breeding sector; right? 23 A. I don't recall saying either way 24 in the breeding sector. 25 1746 Q. Okay. Is it fair to say that --</p>	<p>1 foregone of having a benefit to taxpayer-supported 2 programs and services. 3 1750 Q. You're referring to money foregone 4 in the sense that the money from the wagering 5 public that is shared with racetracks and the horse 6 racing sector isn't money that is given to the 7 government by way of a dividend from OLG; right? 8 A. Right. So the betting that is 9 done in the slots, the net revenue is going to OLG. 10 The whole modernization how do we increase that to 11 go into the consolidated revenue fund to fund 12 taxpayer-supported programs and services. 13 1751 Q. And the decision was we'll 14 increase that by cancelling the share that goes to 15 racetrack operators in the horse racing industry; 16 right? 17 A. That was the ultimate decision 18 that was later reviewed by the panel. 19 1752 Q. Right. And you and I can agree, 20 sir, that operating expenses in the nature of a 21 commission are not foregone revenue? 22 R/F MR. ROSENBERG: Objection. 23 MR. RATCLIFFE: How is this relevant to 24 anything? 25 MR. LISUS: I understand this is</p>
<p>1 and tell me if you have an understanding or not -- 2 the accountability concerns was with respect to 3 what racetrack operators were doing with their 4 share of the SARP revenue? 5 A. I didn't indicate either way. 6 I think it was a general sense that we're getting 7 best value for taxpayers' money. 8 1747 Q. When you say "taxpayers' money," 9 sir, you'll recall our discussion yesterday that 10 the SARP revenue share was not funds from the 11 consolidated revenue fund; right? 12 A. It was -- as the modernization was 13 looking to do was to increase the amount of money 14 going into the consolidated revenue fund, which 15 would then go toward taxpayer-supported services. 16 1748 Q. Fair enough. But the revenue that 17 was generated at racetracks from slot machines was 18 not taxpayer funds; right? 19 A. It's money going into the 20 consolidated revenue fund which supports tax 21 taxpayer-based programs. 22 1749 Q. I'm talking about the money that 23 was generated from slot machines was generated from 24 the wagering public; right? 25 A. And I'm referring to money</p>	<p>1 sensitive to you, but Mr. Orsini is testifying 2 about foregone revenue and characterizing funds 3 generated -- 4 MR. RATCLIFFE: In terms of whether the 5 money was raised through gambling, how is that of 6 any bearing on the issues in this claim? 7 MR. LISUS: Oh, I think it has a great 8 deal of bearing on the issues raised. 9 THE WITNESS: The whole modernization 10 was to increase revenues to the consolidated 11 revenue fund. I mean, the whole premise land-based 12 casino, redesign -- 13 BY MR. LISUS: 14 1753 Q. The modernization? 15 A. The whole modernization was to 16 increase money going to the consolidated revenue 17 fund. 18 1754 Q. Right. Now, Mr. Gene responds to 19 this email saying: 20 "We need to slow them down." 21 Do you see that? 22 A. I see the reference to that. 23 1755 Q. This is why I talked to you about 24 that slide there which the industry panel presented 25 which said "timing is urgent." Do you see that?</p>

Page 486	Page 488
<p>1 Do you remember that?</p> <p>2 A. Is it referring to --</p> <p>3 1756 Q. You remember that panel I showed</p> <p>4 you --</p> <p>5 A. I do recall it talked about --</p> <p>6 1757 Q. Timing being urgent.</p> <p>7 A. I do recall that.</p> <p>8 1758 Q. Right. And here we see</p> <p>9 Mr. Wilkinson telling Mr. Gene that the situation</p> <p>10 is quite dire for the horse racing industry, and we</p> <p>11 know that Mr. Wilkinson and his co-panelists</p> <p>12 presented to the Ministry of Finance saying timing</p> <p>13 is urgent; right?</p> <p>14 A. I do recall that reference.</p> <p>15 1759 Q. And Mr. Gene is telling</p> <p>16 Mr. Shortill we need to slow them down?</p> <p>17 A. I can't comment on what he was</p> <p>18 intending by that statement.</p> <p>19 1760 Q. Well, he thought the panel was</p> <p>20 moving too quickly; right?</p> <p>21 MR. ROSENBERG: Counsel, how's he</p> <p>22 supposed to answer that?</p> <p>23 MR. RATCLIFFE: I think he just said he</p> <p>24 can't speculate about what it was he was trying to</p> <p>25 say there.</p>	<p>1 the panel has gone outside its scope or terms of</p> <p>2 reference by recommending \$300 million of support;</p> <p>3 right?</p> <p>4 A. I'm just reviewing it now. So I</p> <p>5 said the report could create an ongoing fiscal</p> <p>6 pressure of up to \$150 million a year. So Finance</p> <p>7 would identify anything coming forward that would</p> <p>8 create a fiscal obligation as part of the</p> <p>9 deliberations going into the decision-making</p> <p>10 process of Cabinet.</p> <p>11 1763 Q. That's fine. Thank you. I want</p> <p>12 to have you look at the Ministry of Finance</p> <p>13 comments, which are behind the email and the very</p> <p>14 last page of the comments at the bottom. Do you</p> <p>15 see where it says page 25, subsidy or partnership?</p> <p>16 A. Okay, so page 25. I'll find it.</p> <p>17 MR. RATCLIFFE: It's right here.</p> <p>18 THE WITNESS: Yeah, page 25.</p> <p>19 BY MR. LISUS:</p> <p>20 1764 Q. So this is two pages. CRE24180</p> <p>21 are five pages of commentary by Ministry of Finance</p> <p>22 staff on the draft report of the panel. Okay?</p> <p>23 A. Right.</p> <p>24 1765 Q. And commentary with respect to</p> <p>25 page 25 concerns the question of subsidy or</p>
<p>Page 487</p> <p>1 MR. LISUS: Well, when I see the words</p> <p>2 "we need to slow them down," that suggests to me</p> <p>3 that the panel needs to be slowed down. Is that</p> <p>4 what that suggests to you?</p> <p>5 R/F MR. ROSENBERG: That's fine evidence</p> <p>6 you've given, Mr. Lisus, but it is not relevant,</p> <p>7 and I don't understand why we're wasting time on</p> <p>8 this.</p> <p>9 THE WITNESS: You'd have to ask him. I</p> <p>10 don't know what his intent was.</p> <p>11 BY MR. LISUS:</p> <p>12 1761 Q. Well, I will. I want to ask you a</p> <p>13 question about CRE24178.</p> <p>14 MR. MATTHEWS: I'm going to give the</p> <p>15 witness that document plus its attachment,</p> <p>16 CRE24180.</p> <p>17 MR. RATCLIFFE: Can you pull that up on</p> <p>18 the screen, if you wouldn't mind.</p> <p>19 BY MR. LISUS:</p> <p>20 1762 Q. Yes, there's an attachment to it.</p> <p>21 What appears to be going on here, sir, is that the</p> <p>22 Ministry of Finance has received a draft of a panel</p> <p>23 report and are commenting on it.</p> <p>24 One of the concerns that's being</p> <p>25 communicated by ministry staff is the concern that</p>	<p>Page 489</p> <p>1 partnership; right?</p> <p>2 A. I see that.</p> <p>3 1766 Q. And it appears that the Finance</p> <p>4 staff are making commentary on the panel's comments</p> <p>5 about whether SARP was a subsidy or a partnership;</p> <p>6 right? See that?</p> <p>7 A. I see the reference to that.</p> <p>8 1767 Q. Okay. And can we agree that the</p> <p>9 question of whether SARP was a subsidy or a</p> <p>10 partnership was not part of the interim panel's</p> <p>11 terms of reference?</p> <p>12 A. I don't recall what their specific</p> <p>13 terms of reference was.</p> <p>14 1768 Q. In any event, staff are commenting</p> <p>15 about the fact that the panel did include language</p> <p>16 from the Letter of Intent that indicates:</p> <p>17 "Funding was intended to</p> <p>18 promote live racing in the province</p> <p>19 and subsequently benefit the</p> <p>20 agricultural sector in Ontario</p> <p>21 through support to horse racing</p> <p>22 which supports the notion that it is</p> <p>23 a subsidy."</p> <p>24 Right?</p> <p>25 A. I see that.</p>

<p style="text-align: right;">Page 490</p> <p>1 1769 Q. And it was important in 2012 to 2 the Ministry of Finance to support the notion that 3 SARP was some kind of subsidy; right? 4 A. I think I always looked at it was 5 a value-for-money proposition; are we getting the 6 best value from that arrangement. 7 1770 Q. Okay. And you were satisfied that 8 as SARP had evolved in 2012 whereas government was 9 at one time getting good value from the 10 arrangement, by 2012, it was no longer getting good 11 value from the arrangement; is that fair? 12 A. That was the review process. It 13 started off as how could we get the best value from 14 this arrangement, and then ultimately the 15 government's decision was to proceed with the 16 Pari-Mutuel tax relief and to give one year's 17 notice with it. 18 1771 Q. So you didn't look at it as 19 whether or not these funds were a subsidy or an 20 operating expense. It was just whether the 21 commercial arrangement in place delivered the best 22 value for the Ontario government? 23 A. That's how I -- how I looked at 24 it. 25 1772 Q. Thank you. Now, I wanted to</p>	<p style="text-align: right;">Page 492</p> <p>1 that's correct, then I would acknowledge that. 2 1775 Q. Thank you. 3 MR. LISUS: We're going to mark that as 4 the next exhibit. 5 MR. MATTHEWS: Exhibit 34, which is 6 CRE406984. 7 EXHIBIT NO. 34: CRE0406984. 8 BY MR. LISUS: 9 1776 Q. And so your comments on the 10 report, the draft interim panel report, and 11 ministry staff's comments on it is that the 12 recommendation in the report could create an 13 ongoing fiscal pressure of up to 150 million a 14 year; right? 15 A. That's correct. 16 1777 Q. Okay. 17 MR. LISUS: And that's the next 18 exhibit, please. 19 MR. MATTHEWS: Exhibit 35, CRE24178 and 20 its attachment. 21 EXHIBIT NO. 35: CRE0024178 and 22 CRE0024180. 23 BY MR. LISUS: 24 1778 Q. Now, I want to ask you about 25 Exhibit 21 on Mr. Bardeesy's examination, which is</p>
<p style="text-align: right;">Page 491</p> <p>1 follow up with Project 76 because I don't want to 2 forget it. Mr. Ratcliffe has provided me with an 3 excerpt or extract from what I understand is a 4 400-page draft final report. 5 If we could just look at it together, 6 sir, I understand that this draft final report is a 7 compilation of all of the business support programs 8 that were in existence as of 2011; is that fair? 9 A. You're saying all? I can't attest 10 to them saying it covered every single program. 11 1773 Q. Okay. 12 MR. RATCLIFFE: You may want to take a 13 minute to flip through because there's charts and 14 graphs -- charts, certainly, in terms of what was 15 included and what was excluded, and there's also a 16 list of things that were excluded. And in the 17 second last page, in the list of ones that -- 18 THE WITNESS: I can't attest to it 19 capturing every single -- 20 BY MR. LISUS: 21 1774 Q. One thing we can agree is that, as 22 the cover email says, Slots at Racetrack Program is 23 not mentioned at all in the Project 76 review; 24 correct? 25 A. Haven't gone through it, but if</p>	<p style="text-align: right;">Page 493</p> <p>1 an email sequence in the Premier's office about the 2 report. It's dated August 21. The email statement 3 is actually about Minister McMeekin's statement on 4 the interim report. And do you know these folks, 5 Wendy McCann? 6 A. Premier's office communications. 7 I'm not a hundred percent sure. 8 1779 Q. Tyler Charlebois? 9 A. I don't know. 10 1780 Q. Laura Miller? 11 A. I think she worked in the 12 Premier's office in -- deputy principal secretary. 13 I'm not sure. 14 1781 Q. Karim Bardeesy we know. 15 Brian Teefy we know; right? 16 Now, Wendy McCann says that: 17 "Minister McMeekin's statement 18 will be reported as an aboutface or 19 capitulation especially after all 20 our messaging about choosing 21 children over horses." 22 Do you see that? 23 A. I just need to find myself. 24 1782 Q. Bottom of the page. 25 A. Oh, yeah, I see that.</p>

Page 494	Page 496
<p>1 1783 Q. Were you aware that the Premier's 2 communication staff were not happy with the 3 statement Minister McMeekin wanted to make about 4 the interim panel? 5 A. I don't recall seeing this email. 6 1784 Q. And you don't recall hearing 7 sentiments like this? 8 A. I think we heard it from the 9 fiscal pressure side. 10 1785 Q. Okay. And Karim Bardeesy says: 11 "We have committed, but there's 12 considerable pressure to reconsider 13 a second time. I don't think 14 there's much appetite to provide 15 ongoing transitional assistance 16 beyond the 50 million or sustained 17 assistance beyond the transitional 18 period, which is what the statement 19 opened the door to." 20 Do you remember there being resistance amongst the 21 Premier's staff to any transition support as 22 recommended by the panel beyond the \$50 million 23 over three years bargained with the NDP as a result 24 of the budget deal? 25 A. I don't recall specifically. This</p>	<p>1 interpretations. 2 1791 Q. Does she say that the deficit is 3 about 4 billion? 4 A. She does add another amount. I'm 5 not sure -- 6 1792 Q. Does 4 billion sound about right? 7 A. The financial accountability 8 officer has a different amount. I can't remember 9 the exact amount. 10 1793 Q. Would you have a look at what the 11 financial accountability officer says the budget 12 deficit is and tell Mr. Ratcliffe so he can tell 13 me? 14 A. I will send the relevant documents 15 to -- 16 MR. RATCLIFFE: How is that relevant? 17 THE WITNESS: -- to Mr. Ratcliffe. 18 U/A MR. RATCLIFFE: We'll take that request 19 under advisement. 20 MR. LISUS: That's the next exhibit, 21 please. It's already an exhibit. 22 MR. MATTHEWS: So we won't mark this. 23 BY MR. LISUS: 24 1794 Q. I want to ask you about 25 CRE0031439. You told me earlier, sir, about some</p>
<p>Page 495 1 was at a time when the rating agencies were looking 2 at our finances, and there was heightened 3 sensitivity to anything that would increase our 4 expenditures or reduce our revenues. 5 1786 Q. You've mentioned the rating agency 6 and the deficit, et cetera -- 7 A. It was a very tense moment in 8 time. 9 1787 Q. Right. You told me the deficit 10 was \$15 billion? 11 A. The interim, so it was '14 and -- 12 '10, '11 -- '11, '12 is tracking it over 13 15 billion. 14 1788 Q. What is the deficit -- 15 A. The government, in the last 16 financial update, is forecasting a zero deficit for 17 the '17, '18. 18 1789 Q. Does the Auditor General agree 19 with that forecast? 20 A. The Auditor General does not agree 21 with that forecast. 22 1790 Q. What does the Auditor General say 23 the deficit is today? 24 A. I don't know her numbers offhand, 25 but she disagrees with some accounting</p>	<p>Page 497 1 differences that you understood to exist between 2 the Quebec horse racing industry and the Ontario 3 horse racing industry. 4 A. That's my understanding. 5 1795 Q. CRE31439. And you became aware of 6 these differences as a result of research that you 7 directed be undertaken in September 2012; correct? 8 A. I'm just reviewing it now. 9 1796 Q. I presume, sir, this is the 10 information that you were thinking of when you told 11 me about the differences between the Quebec 12 industry and the Ontario horse racing industry? 13 A. I remember staff saying there were 14 significant differences between both industries. 15 1797 Q. This is the first I can find of 16 those differences being identified and reported to 17 you and others. Does this refresh your 18 recollection as to when you became aware of those 19 differences? 20 A. I can't recall. If it's in the 21 slide decks earlier, I suspect it would have come 22 up in the conversation. 23 1798 Q. You believe this information was 24 in the slide decks earlier? 25 A. No, I think the reference to</p>

Page 498	Page 500
<p>1 Quebec was in an earlier slide deck, and it would 2 have conjured up some type of conversation. This 3 came afterwards, as you pointed out. 4 1799 Q. Correct. 5 MR. LISUS: That's the next exhibit. 6 MR. MATTHEWS: Exhibit 36. 7 EXHIBIT NO. 36: CRE0031439. 8 BY MR. LISUS: 9 1800 Q. I want to show you Exhibit 26 on 10 the examination of Mr. Bardeesy. This is 11 Mr. Bardeesy reporting on a discussion he's just 12 had with Mr. Wilkinson, which is October 1, 2012. 13 And I see that you're not included on this email. 14 Is that because you weren't a decisionmaker at this 15 point in time? 16 A. It looks like it was an email to 17 political staff. 18 1801 Q. And he's reporting that the 19 standardbred auction was cancelled because there 20 are no buyers. Another market indicator that there 21 won't be a soft landing. Do you see that? 22 A. I see that reference. 23 1802 Q. And apparently McKinsey's new 24 report has same basic flaw as the first report, 25 doesn't understand what drives economic behaviour.</p>	<p>1 recall seeing. 2 1804 Q. All right. Thank you. And I want 3 to show you Exhibit 25 on Mr. Bardeesy's 4 examination, which is a presentation for a four 5 corners meeting, which you appear to have been 6 invited to. And I just want you to go to page 4 of 7 the deck, the third bullet, where it says: 8 "The government's response 9 needs to come very quickly as there 10 are many decisions on the part of 11 tracks and horse people before a 12 racing schedule can be established 13 for next year." 14 And it goes on to say: 15 "The racing schedule needs to 16 be approved by the end of December. 17 The horse race breeding industry is 18 extremely vulnerable without clarity 19 on government direction." 20 Were you aware, sir, that the industry was at an 21 extremely vulnerable point and needed government 22 direction? 23 A. I understand starting in the fall 24 leading into the race dates, they were trying to 25 get as much clarification from government as</p>
<p>1 I've only seen an August 1, 2012, report. 2 And then we see the reference: 3 "Deal with job losses and dead 4 horses. McKinsey set aside 5 28 million to deal with the horses." 6 Are you aware of \$28 million being set aside to 7 deal with horses? 8 A. I don't recall specifically to 9 that amount. 10 1803 Q. And he says: 11 "We've come back with an upper 12 cost of 300 million, but we're also 13 quite confident that you can 14 negotiate a lower price. There's no 15 horse racing industry anywhere 16 that's viable without government 17 money." 18 So were you aware of the panel telling the 19 Premier's office that there's a need for 20 300 million, but they believe that because of the 21 circumstances of the industry, a lower price could 22 be negotiated? 23 A. I don't recall this amount, but 24 that's where the 150 million a year, the fiscal 25 pressure we noted earlier. This number I don't</p>	<p>1 possible. 2 1805 Q. Okay. And if you go to page 3, 3 Slide Number 3, do you see -- 4 A. Is this a quote? Did you say 5 Slide Number 3? 6 1806 Q. Slide 3, yes, current status. 7 A. Okay. That's -- 8 1807 Q. You have it there. It's just the 9 deck I've given you is a bit out of sequence. 10 A. There's another slide there. 11 1808 Q. Look at page 752 in the corner. 12 A. I have it here. There's two decks 13 here. 14 1809 Q. Right. It says: 15 "The panel's interim report was 16 time to provide a signal to the 17 industry prior to the fall yearling 18 sales which are a major source of 19 revenue for horse breeders. The 20 government's announcement appears to 21 have partially mitigated a collapse 22 of horse breeding returns. 23 Thoroughbred average prices were 24 down 22 percent to 50 percent, and 25 standardbred prices were down</p>

Page 502

1 40 percent."
 2 A. I see the reference.
 3 1810 Q. Were you aware of the impact on
 4 the --
 5 A. I was aware of the need for -- the
 6 industry was looking for direction, and this is
 7 from the Ministry of Agriculture, Food and Rural
 8 Affairs.
 9 1811 Q. Okay.
 10 MR. MATTHEWS: That will be Exhibit 37,
 11 which was Mr. Bardeesy's Exhibit 25.
 12 EXHIBIT NO. 37: CRE0359818,
 13 CRE0359819, and CRE0359820.
 14 BY MR. LISUS:
 15 1812 Q. Now, sir, were you aware in 2013
 16 that a legislative committee directed the Auditor
 17 General to investigate the OLG's modernization plan
 18 and the manner in which the decision to cancel SARP
 19 was made?
 20 A. The Auditor General has a lot of
 21 legislative tools. Could decide to do a review on
 22 the office's own accord or get direction from the
 23 legislature or legislative committee.
 24 1813 Q. Okay. Were you aware that in this
 25 case --

Page 503

1 A. I can't recall exactly the origins
 2 of it, but it wouldn't surprise me if the
 3 legislative committee did ask for that.
 4 1814 Q. And the Auditor General released
 5 its report in 2018. Did you read it when it came
 6 out?
 7 A. I can't say I did. I don't
 8 recall. I might have gotten a précis of it.
 9 1815 Q. Were you aware that the Auditor
 10 General found that the modernization plan had an
 11 overly ambitious time line? I'm on page 15 of the
 12 report.
 13 A. Page 15. Okay. So that's the
 14 first highlighted sentence in the paragraph.
 15 1816 Q. Right. And the extent of
 16 Cabinet's consideration of the modernization plan
 17 is what we saw in the material in the Cabinet
 18 submission of February 8, 2012; right?
 19 A. The 7th and 8th, yes.
 20 1817 Q. Right. And the Auditor General
 21 found that the modernization plan depended on and
 22 assumed municipal stakeholder agreement especially
 23 in the case of having a casino in the GTA. Do you
 24 see that?
 25 A. Yes.

Page 504

1 1818 Q. Were you aware that no business
 2 case had been developed by the OLG for a casino in
 3 the GTA?
 4 A. They came in with a proposal for
 5 different types of casino operations in the GTA.
 6 1819 Q. Mr. Phillips confirmed in his
 7 testimony that a business case was required for a
 8 GTA casino, and one had not been developed as of
 9 the date of the Cabinet decision. Are you aware of
 10 that?
 11 A. In their modernization plan, they
 12 had a proposal to bring, I think, three separate
 13 sites, which one of the directions coming from the
 14 meeting -- they had a proposal. What level of
 15 business case development they had to support that,
 16 I can't -- I can't comment on. I wouldn't know.
 17 1820 Q. This is what Mr. Phillips
 18 testified:
 19 Q. "So as of this date, no
 20 business case had been prepared for
 21 a casino in Toronto or Ottawa;
 22 right?
 23 A. No business case had been
 24 developed for each of the
 25 opportunities. There were -- there

Page 505

1 was a lot of variables in those.
 2 Specifically what was referred to
 3 here was if we wanted to generate
 4 revenue quickly, then one option --
 5 and presuming the municipality
 6 wanted it to be generated quickly --
 7 would be to set up a temporary
 8 facility. That's what they did in
 9 Windsor with the original casino.
 10 Q. But what study had been
 11 undertaken as to whether or not, for
 12 instance, neighbouring businesses or
 13 landowners would agree to a casino
 14 coming in?
 15 A. Certainly that was work that
 16 had to be done, so I guess the
 17 spreadsheet business case could be
 18 done, the actual business case, what
 19 site, what location.
 20 Q. What opposition?
 21 A. What opposition, what funding
 22 arrangement could you negotiate with
 23 a private sector operator, would a
 24 municipality want to be in a
 25 particular location, those kinds of

Page 506

1 things.
 2 Q. Very important issues?
 3 A. Very significant issues, yes.
 4 Q. And issues that if they weren't
 5 resolved, there wasn't going to be a
 6 casino certainly in Toronto; right?
 7 A. In any community."
 8 So Mr. Phillips testified there wasn't any business
 9 case or municipal approval or studies done for
 10 locating casinos in Toronto or other cities; right?
 11 A. You're talking about the level of
 12 business case analysis. They did come out with a
 13 proposal to recite their land-based casinos.
 14 1821 Q. Okay. Were you aware that the
 15 modernization plan's financial projections were
 16 overly optimistic as found by the Auditor General?
 17 A. I think at the time they were
 18 coming in, but the proposals that OLG was
 19 submitting as -- they could deliver them with --
 20 there's always risk that -- there's a risk that
 21 these things don't come to fruition as fast as you
 22 want especially if you require municipal agreement.
 23 1822 Q. Right. And they did require
 24 municipal agreement; correct?
 25 A. Right.

Page 507

1 1823 Q. And the process for getting
 2 municipal agreement hadn't even been started;
 3 right?
 4 A. Some of the municipalities had
 5 started the process of engaging staff-level
 6 reports.
 7 1824 Q. They were talking about it?
 8 A. That's right. They started the
 9 process of looking at cited casinos in some of the
 10 municipalities, especially the bigger ones.
 11 1825 Q. How long was the process that had
 12 been started at the staff level? How long was it
 13 going to take?
 14 A. That I don't recall offhand.
 15 1826 Q. And there wasn't --
 16 A. Certainly there was a lot of
 17 complexity and details that had to be worked
 18 through.
 19 1827 Q. Sure. Until those complexity and
 20 details had to be worked through, this revenue
 21 stream from locating slot machines in cities wasn't
 22 going to happen; right?
 23 A. There was a multiyear forecast.
 24 1828 Q. Was there ever a casino in Toronto
 25 or Ottawa?

Page 508

1 A. Not at this time. There's
 2 discussions, I think, at Woodbine.
 3 1829 Q. And the Auditor General found that
 4 the cancellation of the Slots at Racetrack Program
 5 can hardly be considered to have been open and
 6 transparent; right? Do you know that, the Auditor
 7 General found that?
 8 MR. RATCLIFFE: Well, Counsel, the
 9 Auditor General's report says that. I'm not
 10 sure -- I mean, it's approaching 4:30. You thought
 11 you might be done by 4:30. I'm not sure how asking
 12 Mr. Orsini really assists your case.
 13 MR. LISUS: I just want to make sure
 14 Mr. Orsini understands what the Auditor General
 15 found. That's all.
 16 MR. RATCLIFFE: You brought it to his
 17 attention.
 18 BY MR. LISUS:
 19 1830 Q. I want to ask you to look at page
 20 45 of the Auditor General's report, the little
 21 black tab on the upper right-hand corner.
 22 A. Okay. So page 45.
 23 1831 Q. Yeah. Sorry, page 46.
 24 "Did the province or OLG
 25 properly consult or consult various

Page 509

1 industries, businesses, and
 2 municipalities impacted by the
 3 cancellation of the Slots at
 4 Racetrack Program? No."
 5 Do you see that?
 6 A. I see that reference.
 7 1832 Q. If you look at page 47:
 8 "Have certain communities been
 9 impacted disproportionately as
 10 compared to other communities?"
 11 The Auditor General found:
 12 "Yes. This is especially true
 13 of communities where horse people
 14 involved in standardbred and quarter
 15 horse racing live and work."
 16 Do you see that?
 17 A. I see that.
 18 1833 Q. And she says:
 19 "Breeders' activities had
 20 dropped by about 60 percent."
 21 And it says:
 22 "The Ministry of Finance and
 23 the Ministry of Agriculture and Food
 24 have not prepared an analysis on the
 25 actual job losses in the industry

<p style="text-align: right;">Page 510</p> <p>1 since the cancellation of the Slots 2 at Racetrack Program." 3 Do you see that? 4 A. So you showed me a number of 5 documents that provided some estimates. 6 1834 Q. And the documents I showed you 7 that provided estimates were of estimates -- direct 8 employment losses at racetracks in the 5,000 odd 9 numbers potentially; correct? 10 A. It gave the -- I thought it gave 11 the net impact overall. 12 1835 Q. Okay. Do you see the Auditor 13 General saying that the Ministry of Finance and the 14 Ministry of Agriculture and Food have not prepared 15 an analysis on the actual job losses in the 16 industry since the cancellation of the Slots at 17 Racetrack Program? 18 A. Are they referring to the 19 announcement? So I'm not exactly -- know what 20 she's referring to. What analysis? 21 1836 Q. You see where she says: 22 "In the year ending March 31, 23 2014, following the cancellation of 24 the programs, horse people's overall 25 key revenues decreased by 53</p>	<p style="text-align: right;">Page 512</p> <p>1 recommendations, and the Auditor General comes back 2 later on two years to find out how ministries have 3 responded. 4 BY MR. LISUS: 5 1839 Q. And the ministry did go through a 6 thorough analysis. Before I take you to the 7 ministry's analysis and response, I want to have 8 you look at one more thing on page 57, second 9 last -- well, the bottom paragraph on the left-hand 10 side, "racetrack owners." Do you see that? 11 A. Yes. 12 1840 Q. "Racetrack owners, except for the 13 three that lost their slots at 14 racetracks, have been less affected 15 by the ending of the Slots at 16 Racetracks Program. They have 17 recouped 65 percent of their former 18 revenues from OLG through the newly 19 negotiated rent for the space 20 occupied by the Slots at 21 Racetracks. OLG has also reached 22 settlements with four racetracks in 23 March 2013 totalling 80.6 million." 24 Do you see that? 25 A. I see that.</p>
<p style="text-align: right;">Page 511</p> <p>1 percent." 2 Do you see that? 3 A. Where's that? Is that on top of 4 48? 5 1837 Q. No, 47. 6 MR. RATCLIFFE: Well, again, Mr. Lisus, 7 it says this in the report. You've got the report. 8 BY MR. LISUS: 9 1838 Q. Were you aware of this in 2014? 10 MR. ROSENBERG: What's the relevance of 11 his awareness of this? 12 MR. LISUS: Good faith, failure to 13 compensate, decision to compensate racetrack owners 14 who still maintained the slot machines while 15 standardbred breeders who experienced losses of 16 53 percent and 60 percent got no compensation and 17 are forced to go through litigation. That's the 18 relevance. 19 THE WITNESS: If you're -- the ministry 20 would have reviewed this -- 21 MR. LISUS: Punitive damages. 22 MR. ROSENBERG: I don't accept that 23 either, Mr. Lisus. 24 THE WITNESS: The ministry would have 25 gone through a thorough analysis of the</p>	<p style="text-align: right;">Page 513</p> <p>1 1841 Q. "These settlements arose from the 2 capital investments the four 3 racetracks undertook under OLG 4 direction and their siteholder 5 agreements to expand their Slots at 6 Racetracks." 7 Right? 8 A. I do recall some capital 9 improvements being covered. 10 1842 Q. You understand as well that 11 breeders also made investments and capital 12 improvements in their farms and breeding 13 operations; right? 14 A. The agreement was with the 15 racetracks on the siteholder agreement. 16 1843 Q. Which entitled -- we've heard from 17 the OLG and the ministry -- entitled the ministry 18 and the government to terminate it, yet they still 19 paid \$80.6 million in compensation? 20 MR. ROSENBERG: To be fair, Counsel, 21 you've reviewed the terms of the agreement that 22 required the payment of those amounts with various 23 witnesses. 24 MR. LISUS: Well, we'll get into the 25 terms of the payments with OLG's witness. My</p>

Page 514

1 understanding, Mr. Rosenberg, is the 80.6 million
 2 was on top of the termination payments paid under
 3 the contracts.
 4 Is your understanding that the
 5 80.6 million is the contractual payments pursuant
 6 to the termination provision?
 7 MR. ROSENBERG: Mr. Lisus, sadly I'm
 8 not here to give evidence today. You can ask that
 9 of witnesses --
 10 MR. LISUS: Then I suggest you be quiet
 11 while I ask the witness questions if you don't want
 12 to give evidence.
 13 MR. ROSENBERG: Well, I suggest that
 14 you be fair to the witness.
 15 BY MR. LISUS:
 16 1844 Q. Now, you said the Auditor
 17 General's report would have been reviewed
 18 extensively by the ministry; right?
 19 A. Yes, as all her reports are.
 20 1845 Q. And her staff would have prepared
 21 for her key messaging around the Auditor General's
 22 report?
 23 A. I don't know how she conducts her
 24 internal work.
 25 1846 Q. Let me show you this Exhibit 35 on

Page 515

1 the examination.
 2 A. Do you want her report back?
 3 1847 Q. Sure. Unless you want to keep it.
 4 A. No. I'm sure I know how to get a
 5 copy.
 6 1848 Q. I'll put on the screen for you
 7 Exhibit 35 to Mr. Bardeesy. This is to the Premier
 8 and the Minister of Agriculture, who in March 2014
 9 is the same person, Kathleen Wynne; right?
 10 A. She's the Minister of Agriculture
 11 and Food.
 12 1849 Q. And the Premier?
 13 A. And the Premier. This is
 14 addressed to her, I presume, as a Minister of
 15 Agriculture.
 16 1850 Q. It actually says to
 17 Premier/Minister.
 18 A. You're showing me -- yes, I see
 19 that.
 20 1851 Q. Right. So it's addressed to her
 21 in both capacities, to Premier/Minister, CC
 22 Premier's office.
 23 A. I see that.
 24 1852 Q. All right. And with respect to
 25 the horse racing issue, over the page it says:

Page 516

1 "Horse racing Cabinet, tomorrow
 2 we will be going to TB -- "
 3 That's Treasury Board; right?
 4 A. I presume that's Treasury Board.
 5 1853 Q. -- to seek supplemental funding
 6 for the horse racing PFP."
 7 Do you know what that is?
 8 A. I'm not sure what the acronym is.
 9 1854 Q. Proposed funding plan, I
 10 understand.
 11 "-- and additional 20 million
 12 over five years to support
 13 continuation of horse racing in
 14 Fort Erie, Ajax, and Rideau
 15 Carleton, a provincial thoroughbred,
 16 quarter horse and standardbred
 17 breeding program. The matter is
 18 expected to be deferred for decision
 19 at Cabinet on Wednesday."
 20 Do you see that?
 21 A. I see that.
 22 1855 Q. And then the author refers to:
 23 "The Auditor General has
 24 circulated drafts of her report
 25 which suggests that the report could

Page 517

1 be released shortly later this week
 2 or next."
 3 And he provides suggested messaging; right? And
 4 the suggested messaging for the Premier and the
 5 minister, first point is:
 6 "I've always argued the
 7 decision to cancel the Slots at
 8 Racetrack Program was not done
 9 properly, which the Auditor General
 10 confirms."
 11 Do you see that?
 12 A. I see that reference.
 13 1856 Q. And so were you aware in March
 14 2014 that the Premier and Minister of Agriculture's
 15 view was that the cancellation of the Slots at
 16 Racetrack Program was not done properly?
 17 A. I don't know who prepared these
 18 notes.
 19 1857 Q. Were you aware, sir, in March 2014
 20 that that was the Premier's view?
 21 A. I understood she had concerns
 22 about the process.
 23 1858 Q. Okay. And she says that she's
 24 always had concerns about the process; right?
 25 "I've always argued the

Page 518		Page 520	
1	decision to cancel the Slots at	1	please, an email from Barry Goodwin, which is a
2	Racetrack Program was not done	2	final draft minister's briefing deck. And you are
3	properly, which the Auditor General	3	copied on this email, April 24, 2014.
4	confirms."	4	This came to your attention on
5	Do you see that?	5	April 24, 2014, this deck; right?
6	A. I do see that reference.	6	A. It would be a summary of the
7 1859	Q. So my question to you, sir, is	7	Auditor General's report.
8	given that Ms. Wynne was a senior Cabinet minister	8 1869	Q. Right. And --
9	in 2012, then the Premier in '13 and '14, and she	9	A. Of just one aspect, I guess.
10	appointed you to be the secretary of the Cabinet;	10 1870	Q. Well, here for your --
11	correct?	11	MR. RATCLIFFE: Do you need a moment to
12	A. Correct.	12	look through it and see what it is?
13 1860	Q. You and the Premier know each	13	THE WITNESS: I don't recall. With the
14	other?	14	small font, it will take me a bit of time to go
15	A. The Premier and --	15	through it.
16 1861	Q. You know each other?	16	BY MR. LISUS:
17	A. Yes.	17 1871	Q. I'll read it out to you. On the
18 1862	Q. So were you aware in 2014 that --	18	second slide of the deck, under the heading
19	A. At this time, I was Deputy	19	"Context," it talks about:
20	Minister of Finance.	20	"The legislature Standing
21 1863	Q. But you knew Ms. Wynne; right?	21	Committee on Public Accounts passing
22	A. I got to know her after my	22	a seven-part motion requesting the
23	appointment. I knew of her as a Deputy Minister of	23	Auditor General commence an
24	Finance. She would have seen me present before	24	immediate review of the Ontario
25	Cabinet.	25	Lottery and Gaming Corporation
Page 519		Page 521	
1 1864	Q. So my simple question is whether	1	modernization plan, including the
2	you were aware in -- let me finish the question --	2	government's decision to end the
3	in 2012, '13, and '14 that Ms. Wynne had always	3	Slots at Racetrack Program."
4	argued that the decision to cancel the Slots at	4	Right?
5	Racetrack Program was not done properly.	5	A. This is what you referenced
6	A. As I said, I had the general	6	earlier.
7	impression she was concerned about the process.	7 1872	Q. Yes.
8 1865	Q. Did you have that impression in	8	A. Yes.
9	2012, '13, and '14?	9 1873	Q. And the Auditor General's four key
10	A. I can't remember when I got that	10	take-aways were:
11	impression.	11	"1. Overly ambitious OLG
12 1866	Q. Okay. Thank you. I want to ask	12	modernization plan, revenue
13	you, sir, if you were aware about an exchange	13	projections, and timelines.
14	between standardbred breeders and Mr. Snobelen and	14	2. Government and agency monitoring
15	my office and the Attorney General in the spring of	15	of third party contracts. Third
16	2014 about the government's withholding from	16	parties respecting contract
17	standardbred breeders, breeders rewards because	17	compliance requirements.
18	they had commenced litigation. Are you aware --	18	3. Inadequate consultation with
19	A. I had no knowledge of that.	19	municipalities and horse racing
20 1867	Q. So you had no knowledge that the	20	stakeholders.
21	government withheld breeders rewards from	21	4. Stability of OLG particularly as
22	standardbred breeders because they went to court?	22	it relates to governance and
23	A. I have no recollection and no	23	leadership over the last five
24	knowledge.	24	years."
25 1868	Q. I want to ask you to look at,	25	Now, I want to just refer you to inadequate

Page 522		Page 524	
1	consultation with municipalities and horse racing stakeholders; right?	1	relevant portions of the 2012 Ontario budget and its addendum. I'm providing you a copy. I'm providing a copy to counsel opposite.
2		2	
3	A. I see that.	3	Sir, I think you told us that your office was involved in the preparation of the 2012 Ontario budget?
4	1874 Q. The provincial audit team --	4	
5	A. Where are you now?	5	
6	1875 Q. I'm still on the context.	6	
7	A. Okay.	7	A. That's correct.
8	1876 Q. The provincial audit team	8	1881 Q. You're familiar with this document?
9	conducted its review from late April 2013 to February 2014; right?	9	
10		10	A. Various portions of it, yes.
11	A. I see that.	11	1882 Q. And what I have put before you is, in fact, what I've described, an excerpt from the 2012 Ontario budget and its addendum?
12	1877 Q. And it concluded that there was inadequate consultation with municipalities and horse racing stakeholders; right?	12	
13		13	A. Correct.
14		14	
15	A. I see that reference.	15	1883 Q. Sir, if I could ask you to flip to the page marked 203, please.
16	1878 Q. And if you go over to the fifth deck where it says --	16	
17		17	A. Got it.
18	A. Slide 5.	18	1884 Q. And you'll see at the top under the heading "Support from Gaming," there's mention that:
19	1879 Q. "Did the province or OLG properly consult or consult various industries, businesses, and municipalities impacted by the cancellation of the Slots at Racetrack Program? The Auditor General concludes no. Stakeholders	19	
20		20	
21		21	"The Ontario Lottery and Gaming Corporation Act, 1999 requires that net provincial revenue generated from lotteries, Ontario Lottery and Gaming Corporation operated casinos,
22		22	
23		23	
24		24	
25		25	
Page 523		Page 525	
1	emphasize the importance of SARP for the success of the industry. Cancelling this program was never discussed."	1	slot facilities, and commercial casinos support services such as the operation of hospitals, municipalities, amateur sports, Ontario First Nations, problem gambling and related programs, and funding for charitable and not-for-profit organizations."
2		2	
3		3	
4		4	
5	Right?	5	
6	A. I see that reference.	6	
7	MR. LISUS: Those are my questions for now.	7	
8		8	
9	MR. MATTHEWS: This is CRE93343 and its attachment.	9	Do you see that?
10		10	A. I do see that.
11	MR. MILAT: Exhibit 38.	11	1885 Q. That's what you were telling my friend, Mr. Lisus, that the dividend from the Ontario Lottery and Gaming Corporation is put to Ontario's programs?
12	EXHIBIT NO. 38: CRE0093343 and CRE0093344.	12	
13		13	
14	-- Recess at 4:44 p.m. --	14	
15	-- Upon resuming at 4:52 p.m. --	15	A. That's correct.
16	CROSS-EXAMINATION BY MR. ROSENBERG:	16	1886 Q. I wanted to ask you a few questions about that. It looks from this document -- I see this at the bottom of the page -- about a billion and a half dollars in 2012 to '13 of OLG's revenues was used to support the operation of hospitals?
17	1880 Q. Good afternoon, sir. My name is Michael Rosenberg. I'm counsel for the Ontario Lottery and Gaming Corporation in this matter. I recognize that the hour is late, it being almost 5 o'clock now on day two of your examination, so I'll try to make my component of this brief.	17	
18		18	
19		19	
20		20	
21		21	
22		22	A. Yes. In the 2012 budget, reported that number.
23	And why don't we start, then, with a discussion of SARP funds. And to anchor this discussion, what I've done is I've excerpted the	23	
24		24	1887 Q. So as I understand it, the money flows from OLG after it pays its expenses to the
25		25	

<p style="text-align: right;">Page 526</p> <p>1 consolidated revenue fund? 2 A. That's correct. 3 1888 Q. And the government distributes 4 money from the consolidated revenue fund to pay for 5 its spending? 6 A. Yes, that's correct. 7 1889 Q. In that sense, the dividend from 8 OLG, as you called it, is another form of 9 government revenue? 10 A. It's an important source of 11 revenue. 12 1890 Q. In fact, it's the largest form of 13 nontax revenue for the province of Ontario; right? 14 A. Yes. I think it exceeds the LCBO, 15 which would be another large one. 16 1891 Q. And from the perspective of 17 consolidated revenue fund, whether the money is 18 coming from OLG's dividend or taxation or the LCBO, 19 it's all the same thing; right? 20 A. Those funds go to support 21 taxpayer-supported programs: health care, 22 education. So it's viewed as part of the 23 consolidated revenue fund. 24 1892 Q. It's all revenue for the province 25 of Ontario?</p>	<p style="text-align: right;">Page 528</p> <p>1 assessment. 2 1897 Q. And in carrying out that policy, 3 OLG does things that have an economic development 4 component? 5 A. That's correct. 6 1898 Q. Claire MacDougall testified in 7 this matter. She was involved as an OLG employee 8 in OLG's modernization initiative, and she gave the 9 example of OLG having two head offices, one in 10 Sault Ste. Marie and one in Toronto as an example 11 of a policy-based decision as opposed to one that 12 is strictly driven by maximizing profit. 13 A. That's right. It had a regional 14 economic development component. 15 1899 Q. Mr. Lisus took you to the mention 16 in the Cabinet submission that the Drummond report 17 recommended cutting that to one head office. Do 18 you remember him taking you to that? 19 A. I remember him referencing the 20 Drummond report in that regard. 21 1900 Q. Now, ultimately you're aware as 22 well that OLG didn't cut one of its head offices? 23 A. That's correct. 24 1901 Q. It would have saved money if it 25 had, but there's an underlying policy, as you said,</p>
<p style="text-align: right;">Page 527</p> <p>1 A. It's all revenue for the province 2 of Ontario. 3 1893 Q. And it all goes to pay for Ontario 4 spending? 5 A. Yes. 6 1894 Q. Public spending? 7 A. And key areas of health care, in 8 particular. 9 1895 Q. Insofar as the money is coming 10 from gamblers to OLG, this is the way that Ontario 11 has chosen to leverage its monopoly on legitimate 12 gambling in the province; right? 13 A. It's one of many ways the province 14 raises funds to support public services. 15 1896 Q. Now, Mr. Lisus told you that OLG 16 accounted for the siteholder payments, the 17 20 percent of net slots revenue that was paid to 18 the racetracks under SARP to be split evenly with 19 the local horse people. He told you that OLG 20 accounted for these payments as operating expenses. 21 I want to talk about that. You'll 22 agree with me, sir, that OLG differs from a private 23 corporation insofar as it is charged with carrying 24 out government policy on gaming? 25 A. I would say that's a fair</p>	<p style="text-align: right;">Page 529</p> <p>1 to regional economic development; right? 2 A. Yes. 3 1902 Q. And the cost of having two head 4 offices is recorded as an expense of OLG; right? 5 A. That's correct. 6 1903 Q. And in a sense, of course, it is, 7 but it's also an expense that OLG incurs to further 8 a policy goal; right? 9 A. Correct. 10 MR. LISUS: How does he know that? How 11 can he comment on that? 12 BY MR. ROSENBERG: 13 1904 Q. You were at one point the -- I 14 heard you say associate deputy minister with 15 responsibility for OLG? 16 A. The idea that having a separate 17 head office in a regional community has always been 18 an area of concern of government. We have part of 19 Finance in Oshawa, natural resources in 20 Peterborough, OMAFRA in Guelph. It's an important 21 public policy of government to have a regional 22 footprint. 23 1905 Q. So let's, then, talk about SARP. 24 If we look at Exhibit 8 -- why don't we mark the 25 budget excerpt as our next exhibit in sequence, but</p>

<p style="text-align: right;">Page 530</p> <p>1 I'd ask you to hold on to it, because I will come 2 back to it. 3 MR. ROSENBERG: So that will be 4 Exhibit 39, I think. 5 EXHIBIT NO. 39: Document entitled 6 "Strong Action for Ontario." 7 BY MR. ROSENBERG: 8 1906 Q. So Mr. Lisus gave you Exhibit 8 9 which includes -- 10 A. I don't know if I have that 11 exhibit. 12 1907 Q. I'll provide you with the actual 13 exhibit. Mr. Lisus directed you to -- 14 A. I see it on the screen now. So 15 what page would you like me to go to? 16 1908 Q. I want to go to question 7 in the 17 questions that you have there. 18 A. Okay. So it's on page 277. 19 1909 Q. You see under the answer that's 20 been prepared: 21 "The objective of the Slots at 22 Racetrack Program is to promote live 23 horse racing and breeding and to 24 provide indirect support to the 25 broader agricultural and rural</p>	<p style="text-align: right;">Page 532</p> <p>1 sectors of Ontario." 2 So it's a similar answer to the one we saw for 3 question 7. 4 A. Yes, I see that. 5 1913 Q. The answer is not because 6 \$350 million is the market rate to obtain space at 7 racetrack for our slots parlours; right? 8 MR. LISUS: Is that a question? 9 MR. ROSENBERG: Pardon me? 10 MR. LISUS: Is that a question? 11 MR. ROSENBERG: Yes. 12 MR. LISUS: That doesn't make any 13 sense. 14 THE WITNESS: Repeat that again. 15 BY MR. ROSENBERG: 16 1914 Q. The answer to this question how 17 can the government justify using \$350 million in 18 revenue from Slots at Racetrack Program to prop up 19 the racing industry is not because that is the 20 market rate for us to obtain space for our slots 21 machines at racetracks; right? 22 A. Yeah, the actual amount to the 23 statement -- the statement would apply a different 24 amount. So you -- if you had -- it's talking about 25 the purpose of the funds, not the amount of the</p>
<p style="text-align: right;">Page 531</p> <p>1 sectors of Ontario." 2 A. I see that reference. 3 1910 Q. I think Mr. Lisus asked you to 4 confirm that that was consistent with the way that 5 the Ministry of Finance saw the Slots at Racetrack 6 Program at the time? 7 A. I think that's how the government 8 was communicating Slots at Racetrack Program. 9 1911 Q. And that's an economic development 10 component to the program; right? 11 A. It references the broader 12 agricultural and rural sectors, so one would 13 attribute an economic component to that. 14 1912 Q. If you go to question 45 then, the 15 question here is: 16 "How can the government justify 17 using \$350 million in revenue from 18 Slots at Racetrack Program to prop 19 up the racing industry?" 20 And the answer is: 21 "The objective of the Slots at 22 Racetrack Program is to promote live 23 horse racing and breeding and 24 provide indirect support to the 25 broader agricultural and rural</p>	<p style="text-align: right;">Page 533</p> <p>1 funds. 2 1915 Q. Right. So the amount can vary, 3 and you still give it to the horse racing industry? 4 A. You still support the sector 5 and... 6 1916 Q. And that's because the amount of 7 support going to the horse racing industry is 8 disconnected from the market rate you'd have to pay 9 to obtain the benefit that OLG was attaining, 10 namely, a space to put its slot machines; right? 11 MR. LISUS: What does that mean, 12 Mr. Rosenberg? The witness is frowning. I'm 13 frowning. No one understands your question. 14 MR. ROSENBERG: I don't think the 15 witness is frowning. 16 THE WITNESS: I'm trying to understand 17 the reference is to the purpose of the funds, not 18 necessarily the amount of the funds. The answer 19 doesn't say why it's up to 350. It says the 20 objective is to support the sector. 21 BY MR. ROSENBERG: 22 1917 Q. And so it doesn't really matter 23 what the market value of what OLG receives in 24 exchange for those funds might be; right? 25 A. Yeah, I can't comment on that</p>

Page 534	Page 536
<p>1 aspect as to how this relates to the market price 2 of the Slots at Racetrack Program. 3 1918 Q. But certainly the answer that was 4 prepared here by the Ministry of Finance was -- 5 A. They didn't comment on it either 6 way. 7 1919 Q. Right. Let me take you to 8 Mr. Snobelen's evidence on that point because I 9 asked him some questions about this dynamic. And 10 he said -- 11 MR. MATTHEWS: Would you like me to 12 pull it up on the screen, Mr. Rosenberg? 13 MR. ROSENBERG: As you wish. It's page 14 295, second volume of his transcript. 15 MR. MATTHEWS: Page 295? 16 MR. ROSENBERG: Yes. 17 BY MR. ROSENBERG: 18 1920 Q. He says: 19 "So I have no difficulty with 20 the word 'subsidy.' 21 Q. I don't either, but I 22 understand the political 23 connotations. 24 A. Yes. 25 Q. What exactly do you understand</p>	<p>1 a siteholder agreement that doesn't 2 anticipate support of the industry. 3 So after the cancellation of the 4 Slots at Racetracks Program, the 5 government negotiated rents with 6 racetracks that I don't -- I'm not 7 privy to, but I assume were some 8 reduction to 20 percent of the net. 9 Q. Right. 10 A. The difference between those 11 two numbers would be a payment that 12 was going for the benefit, one would 13 assume, of an industry. 14 Q. Would be a subsidy? 15 A. Yes. 16 Q. I see. And to the extent that 17 those rents were less than the 18 10 percent that was to be paid to 19 the siteholder, would it be fair to 20 say that the 10 percent that was 21 going to the horse people was 22 entirely a subsidy? 23 A. It was entirely designed to 24 enhance the -- I mean, there were 25 expectations, I think, in general</p>
Page 535	Page 537
<p>1 by 'subsidy'? 2 A. I think something that helps 3 to -- I mean, in this case, a 4 payment that helps to sustain the 5 industry organization. 6 Q. Right. 7 A. It subsidizes the operations. 8 Q. Is it fair to say it's more 9 than a market rate for whatever 10 you're getting? 11 A. That now, in 2017, has been 12 well established. In terms of the 13 depth of whatever that subsidy may 14 or may not have been, that would 15 have been -- we would have been 16 speculative about that in 2012, but 17 the intention was to support the 18 industry. 19 Q. So I just want to make sure I 20 understand that. When you say the 21 depth of the subsidy has been 22 established in 2017, what do you 23 mean by that? 24 A. The difference between a 25 commercial rate agreement on a -- on</p>	<p>1 around that benefit, might be 2 received from that 10 percent, but 3 it clearly subsidized the operation 4 of horse racing. 5 Q. Right. All right. Now, in 6 terms of -- 7 A. I'm sorry. I didn't -- for the 8 long pause. It was -- it was -- 9 I think subsidy in that -- in this 10 context of this particular ad would 11 be a sort of windfall, and I don't 12 think there was an intention in that 13 regard. 14 Q. You don't think there was an 15 intention to give a windfall? 16 A. In the sense of there was a 17 belief that at some level, this 18 would be -- that supporting the 19 horse racing industry was a good 20 thing to do." 21 So that was Mr. Snobelen's evidence. You'll see 22 that he was discussing the same dynamic that OLG 23 was paying more than a market rate for the benefits 24 that it was getting from SARP. 25 MR. LISUS: Is there a question here,</p>

Page 538

1 Mr. Rosenberg? You're reading lengthy transcript
 2 passages and making speeches about the dynamic, et
 3 cetera. The object here is to put questions to the
 4 witness.
 5 MR. ROSENBERG: I learn from the
 6 master, and I am just taking a page from your book
 7 as you have read many pages to this witness, and
 8 I'm hoping to correlate him to the evidence that
 9 has been given.
 10 MR. LISUS: Are we getting to a
 11 question at some point?
 12 MR. ROSENBERG: I was trying to until
 13 you interrupted me. Can I go ahead?
 14 MR. LISUS: If you feel it necessary
 15 and helpful.
 16 MR. ROSENBERG: I do. I think it will
 17 be to the trier of fact.
 18 BY MR. ROSENBERG:
 19 1921 Q. So before I was interrupted, sir,
 20 I was saying that Mr. Snobelen spoke to this
 21 dynamic that OLG was paying more than a market rate
 22 for what it received from SARP; right?
 23 MR. LISUS: OLG is not paying anything.
 24 MR. ROSENBERG: Now, Mr. Lisus, I
 25 understand that's your evidence.

Page 539

1 BY MR. ROSENBERG:
 2 1922 Q. But, sir, you understood that
 3 under the siteholder agreements, OLG paid a
 4 commission to racetracks; right?
 5 A. I understand that part of the
 6 discussion I had with him.
 7 1923 Q. That is the agreement -- the
 8 siteholder agreement was what entitled OLG to put
 9 its slot machines in racetracks; right?
 10 A. That's my understanding.
 11 1924 Q. And what I'm getting at here is
 12 that insofar as OLG was paying more than a market
 13 rate under those siteholder agreements for the
 14 benefit that it was receiving, that additional
 15 amount was for an economic development purpose;
 16 right?
 17 A. One could make that argument.
 18 1925 Q. And, in fact, that's how the
 19 program was described in the question and answer
 20 that we just saw?
 21 A. From Mr. Snobelen.
 22 1926 Q. If we look at Exhibit 17 that
 23 Mr. Lisus put to you.
 24 MR. MATTHEWS: I can put it on the
 25 screen if you give me the page.

Page 540

1 MR. ROSENBERG: It's 873, Mr. Matthews.
 2 Thank you.
 3 BY MR. ROSENBERG:
 4 1927 Q. So this is an email from
 5 Brad Partington at the Ministry of Finance to
 6 Tanya Watkins at the Ministry of Finance. Did you
 7 know who Brad Partington was?
 8 A. His name doesn't ring a bell.
 9 1928 Q. If you look at subheading 2,
 10 Mr. Partington says:
 11 "The \$350 million for SART
 12 represents about 25 percent of all
 13 the direct business support."
 14 He then says in brackets:
 15 "Obviously some of the
 16 \$350 million is rent, but most of it
 17 would be direct business support."
 18 Do you see that?
 19 A. I see that reference.
 20 1929 Q. And I'm trying to tie that back to
 21 the dynamic we were just discussing. If what OLG
 22 is doing is paying more than a market rate for what
 23 it's getting, the additional amount, at least in
 24 Mr. Partington's view, appears to be direct
 25 business support.

Page 541

1 MR. LISUS: Do you know what
 2 Mr. Partington's view was? Is there any evidence
 3 of Mr. Partington's view or that this witness has
 4 any knowledge of Mr. Partington's view?
 5 MR. ROSENBERG: I'm not asking those
 6 questions, Mr. Lisus. If you'd let me ask my
 7 questions -- you've had a chance to examine this
 8 witness. I'm using your exhibit, and I'd like to
 9 understand the witness's evidence.
 10 MR. LISUS: Well, you said that if what
 11 OLG is doing is paying more than a market rate for
 12 what it's getting, the additional amount, at least
 13 in Mr. Partington's view, appears to be direct
 14 business support.
 15 I'm trying to understand the foundation
 16 for this witness answering questions about
 17 Mr. Partington's view on direct business support.
 18 MR. ROSENBERG: Now, Mr. Lisus, if what
 19 really bothers you is any reference to
 20 Mr. Partington's view, I'll simply ask the question
 21 without it.
 22 BY MR. ROSENBERG:
 23 1930 Q. This concept of direct business
 24 support, that refers to the difference between the
 25 market rate for what OLG gets under its siteholder

Page 542

1 agreements and what it pays under its siteholder
 2 agreements?
 3 MR. LISUS: Is there some evidence what
 4 the market rate was, Mr. Rosenberg?
 5 MR. ROSENBERG: I'm certainly coming to
 6 that, Mr. Lisus.
 7 MR. LISUS: Well, I think you should
 8 put that to the witness now if you're asking him
 9 questions about what the market rate was and
 10 suggesting that the commission structure wasn't
 11 congruent with the market rate.
 12 MR. ROSENBERG: Well, certainly.
 13 BY MR. ROSENBERG:
 14 1931 Q. You'll recall, sir, as part of its
 15 modernization initiative, OLG after the termination
 16 of SARP entered into rental agreements with a
 17 number of racetracks --
 18 A. I do recall that.
 19 1932 Q. -- for its slot machines.
 20 And Mr. Lisus likes to describe this as
 21 SARP concluded, but the slot machines stayed in the
 22 racetrack; right? OLG continued to receive a space
 23 for its slot machines; right?
 24 A. And they entered into a legal
 25 lease agreement for that space.

Page 543

1 MR. LISUS: Have those been produced?
 2 MR. ROSENBERG: I don't know the answer
 3 to that question.
 4 MR. LISUS: Well, my understanding is
 5 they haven't, and production has been refused. So
 6 if you're going to question this witness about
 7 these agreements and market rents, you're going to
 8 be prepared to produce them, Mr. Rosenberg.
 9 MR. ROSENBERG: Mr. Lisus, I have your
 10 position. I'm not here to give undertakings or
 11 under advisements.
 12 MR. LISUS: I'm not doing that. I'm
 13 just cautioning you before you continue that if
 14 you're going to pursue this line of
 15 cross-examination, you're going to waive whatever
 16 privilege you've claimed over those agreements, and
 17 I'm going to be asking for production of them,
 18 particularly if you're asserting that they reflect
 19 a market rate that is material to your position on
 20 these payments.
 21 MR. ROSENBERG: Mr. Lisus, I have your
 22 position.
 23 BY MR. ROSENBERG:
 24 1933 Q. Sir, you'll recall that Mr. Lisus,
 25 just a moment ago, took you to the Auditor

Page 544

1 General's report?
 2 A. I do remember that.
 3 1934 Q. And at page 57 of the Auditor
 4 General's report, there's reference to the
 5 racetracks recouping some but not all of their
 6 losses from the cancellation of SARP through rental
 7 agreements with OLG?
 8 A. I see a reference to it.
 9 1935 Q. You'll agree with me, sir, that
 10 the rental agreements require OLG to pay less than
 11 it paid --
 12 MR. LISUS: Mr. Rosenberg, I'd like
 13 production of those rental agreements.
 14 MR. ROSENBERG: Mr. Lisus, I'm not here
 15 to give undertakings.
 16 BY MR. ROSENBERG:
 17 1936 Q. And you'll agree with me, sir,
 18 that --
 19 MR. LISUS: Do you know what they
 20 require in terms of payment, Mr. Orsini?
 21 THE WITNESS: I have not seen those
 22 agreements.
 23 MR. LISUS: Do you have any
 24 information --
 25 THE WITNESS: I understand that they

Page 545

1 entered into agreements to pay for rental space.
 2 MR. LISUS: Do you know what the terms
 3 are?
 4 THE WITNESS: I do not know what the
 5 terms are.
 6 MR. LISUS: Do you know whether they're
 7 above, below, or at market rate?
 8 THE WITNESS: I understood that they
 9 were fair rates when they were negotiating them.
 10 MR. LISUS: Do you understand whether
 11 they were at, below, or above market rate?
 12 THE WITNESS: I have no sense of what
 13 the market rate --
 14 MR. LISUS: Do you understand whether
 15 or not the market rate was -- excuse me, the rental
 16 rate was affected at all by the settlement
 17 payments?
 18 THE WITNESS: That I would not know.
 19 MR. LISUS: Well, I'd like production
 20 of them, Mr. Rosenberg.
 21 MR. ROSENBERG: I'm not here to give
 22 undertakings, Mr. Lisus. There are many things
 23 that we'd all like, but that's not what we're here
 24 for.
 25 MR. LISUS: Well, if you're going to

<p style="text-align: right;">Page 546</p> <p>1 pursue this line of questioning about market rates 2 and rent, then you're going to have to produce the 3 agreements, sir. 4 THE WITNESS: My understanding at the 5 time was OLG thought they were fair rates. How 6 that relates to market rates, I don't know. 7 BY MR. ROSENBERG: 8 1937 Q. You do understand that there were 9 savings relative to what OLG was paying -- 10 A. Well, the Auditor General points 11 that out in their report. I don't have a basis -- 12 I don't have a basis to comment on the Auditor 13 General's estimate. 14 1938 Q. If it were the case that OLG was 15 saving money relative to SARP, that would help us 16 to quantify the amount of the SARP payments, those 17 siteholder payments attributable to -- 18 MR. LISUS: It's a hypothetical, 19 speculative question, Mr. Rosenberg. 20 MR. ROSENBERG: Well, Mr. Lisus, even 21 if you're going to object, you have to let me 22 finish the question. You have to let me put it on 23 the record. I know it's going to be hard to hold 24 yourself back. I know it's late in the day. I 25 know it runs contrary to your nature, but you've</p>	<p style="text-align: right;">Page 548</p> <p>1 that was produced by the Crown. You don't -- 2 A. I don't recall. 3 MR. LISUS: Are we aware of any 4 Ministry of Finance programs that aren't identified 5 here? 6 MR. ROSENBERG: I'm not sure what you 7 mean by that. 8 MR. LISUS: Well, you asked were any 9 Ministry of Finance programs included in Project 10 76, and I'm asking you do we know if there were any 11 Ministry of Finance business support programs at 12 all. 13 THE WITNESS: We have a number of them 14 through the tax system, so I don't know if they 15 looked at the tax expenditures, for example. 16 BY MR. ROSENBERG: 17 1942 Q. Presumably there are other 18 business support programs through the Ministry of 19 Finance, though? 20 A. We have a variety of different 21 programs, primarily through the tax system, I would 22 say. 23 1943 Q. I understand that taxation 24 programs were out of scope for Project 76, so that 25 may be part of --</p>
<p style="text-align: right;">Page 547</p> <p>1 got to do it. Can we try just this once? All 2 right. 3 BY MR. ROSENBERG: 4 1939 Q. Sir, if, in fact, the rental 5 payments that OLG is paying at market rate are 6 lower than what it was paying under SARP, that 7 would help us to quantify the portion of SARP that 8 was attributable to an economic development purpose 9 as opposed to procuring goods and services? 10 MR. LISUS: How can he answer that? It 11 doesn't make any sense. 12 MR. ROSENBERG: Well, he has counsel. 13 It's not you. His counsel is not refusing the 14 question. So perhaps we can let the witness try. 15 THE WITNESS: There's a general view we 16 can get better value for this arrangement, and so 17 that could be one way of estimating the value, but 18 I can't comment on whether or not that's the only 19 way. 20 BY MR. ROSENBERG: 21 1940 Q. Mr. Lisus asked you some questions 22 about Project 76. Do you know if any Ministry of 23 Finance programs were included in Project 76? 24 A. I don't necessarily know offhand. 25 1941 Q. I didn't see any in the excerpt</p>	<p style="text-align: right;">Page 549</p> <p>1 A. The Pari-Mutuel tax, why it wasn't 2 included. 3 1944 Q. Right. But that would be another 4 example of a direct business support? 5 A. That would be another example of 6 direct business support. 7 1945 Q. All right. Now, in terms of SARP, 8 OLG was directed to enter into siteholder 9 agreements to obtain space for its slot machines by 10 Cabinet; right? 11 A. The -- you're referring to the 12 licence agreement? 13 1946 Q. Yes. 14 A. I can't recall exactly coming out 15 of Treasury Board of Cabinet or Cabinet itself. It 16 would have been a government decision. 17 1947 Q. And part of that government 18 decision was that OLG would pay 20 percent of the 19 net win from its slot machines. That was the price 20 it was going to pay for -- 21 A. But you're referring to the 22 original. 23 1948 Q. Well, not just the original. 24 Every siteholder agreement, right, sir, was 20 25 percent of the net win?</p>

<p style="text-align: right;">Page 550</p> <p>1 A. Correct.</p> <p>2 1949 Q. That was just the price the</p> <p>3 government set for OLG's participation in this</p> <p>4 program; right?</p> <p>5 A. It was a fixed rate.</p> <p>6 1950 Q. And it had nothing to do with the</p> <p>7 market rate of the goods and services that OLG was</p> <p>8 receiving, except that it was known that racetracks</p> <p>9 would accept this amount of money?</p> <p>10 MR. LISUS: How does he know that? He</p> <p>11 had no involvement in the program.</p> <p>12 BY MR. ROSENBERG:</p> <p>13 1951 Q. You said earlier, sir, in fairness</p> <p>14 to you, when I was asking about question 45 in</p> <p>15 Exhibit 8, the amount of money that went to fund</p> <p>16 SARP was simply the 20 percent net win from the</p> <p>17 slot machines; right?</p> <p>18 A. That was the rate that was set.</p> <p>19 1952 Q. And that amount of money was not</p> <p>20 determined by a market rate for rent for slot</p> <p>21 facilities at racetracks?</p> <p>22 MR. LISUS: How does he know that,</p> <p>23 Mr. Rosenberg? He has no involvement, and he told</p> <p>24 us seven ways to Sunday he had no involvement in</p> <p>25 the siteholder agreements, didn't read them, hadn't</p>	<p style="text-align: right;">Page 552</p> <p>1 page 98 of the budget excerpt that we've marked as</p> <p>2 Exhibit 39.</p> <p>3 A. 98? Okay, I have page 98, the</p> <p>4 2012 budget.</p> <p>5 1956 Q. If you look at the last paragraph</p> <p>6 on page 98, you'll see:</p> <p>7 "As part of OLG's modernization</p> <p>8 process, the government reviewed</p> <p>9 this support for the horse racing</p> <p>10 industry as outlined in the previous</p> <p>11 government's 1998 Letter of Intent.</p> <p>12 In doing so, the government</p> <p>13 determined that the industry needs</p> <p>14 to move towards greater</p> <p>15 self-sufficiency without government</p> <p>16 support. This will allow the</p> <p>17 industry to respond competitively to</p> <p>18 market demands for its racing</p> <p>19 product."</p> <p>20 Do you see that?</p> <p>21 A. I see that reference.</p> <p>22 1957 Q. This reflected a policy decision</p> <p>23 of the government that the horse racing industry</p> <p>24 needed to move towards greater self-sufficiency</p> <p>25 without government support?</p>
<p style="text-align: right;">Page 551</p> <p>1 read them as of giving his evidence, wasn't</p> <p>2 involved in the initial creation of the program.</p> <p>3 There's zero foundation for him to answer that</p> <p>4 question.</p> <p>5 THE WITNESS: The base is tied to the</p> <p>6 amount of -- as we talked about -- the amount of</p> <p>7 betting, so that was the base, 20 percent of the</p> <p>8 base. So that would be the formula that was used.</p> <p>9 Not tied to the square footage or the races.</p> <p>10 BY MR. ROSENBERG:</p> <p>11 1953 Q. Right. There's nothing that ties</p> <p>12 the amount of money that OLG pays to siteholders to</p> <p>13 the square footage or the value of the facility or</p> <p>14 the location or the amenities or any of the other</p> <p>15 things that you might reasonably expect to be</p> <p>16 useful in valuing space; right?</p> <p>17 A. It was tied to the activity of</p> <p>18 betting. We had talked about that yesterday.</p> <p>19 MR. LISUS: Wagering from the public.</p> <p>20 BY MR. ROSENBERG:</p> <p>21 1954 Q. Now, the decision to terminate</p> <p>22 SARP reflected a policy decision to stop funding</p> <p>23 horse racing; right?</p> <p>24 A. Repeat that again.</p> <p>25 1955 Q. Why don't I just show you first</p>	<p style="text-align: right;">Page 553</p> <p>1 A. That was the policy intent.</p> <p>2 1958 Q. And, in fact, it was canvassed in</p> <p>3 a Cabinet submission. I think that you were shown</p> <p>4 a package that was marked as Exhibit 11 to</p> <p>5 Mr. Shortill's examination.</p> <p>6 MR. MATTHEWS: I can put it in front of</p> <p>7 him, if you'd like, Mr. Rosenberg.</p> <p>8 MR. ROSENBERG: I'd be grateful,</p> <p>9 Mr. Matthews. Thank you.</p> <p>10 THE WITNESS: So where in the document?</p> <p>11 BY MR. ROSENBERG:</p> <p>12 1959 Q. I'm looking at page 17 of the</p> <p>13 Cabinet submission decision document. Just for</p> <p>14 reference, this document was included in the</p> <p>15 Cabinet submission that you would have signed, sir?</p> <p>16 A. Yes. This would have been the</p> <p>17 Cabinet submission decision document that I would</p> <p>18 have signed.</p> <p>19 1960 Q. If we look under "Rationale," you</p> <p>20 see the rationale for the decision to terminate</p> <p>21 SARP is stated to be:</p> <p>22 "The termination of the SARP</p> <p>23 program is an integral step for OLG</p> <p>24 to relocate existing facilities to</p> <p>25 more appropriate locations and to</p>

<p style="text-align: right;">Page 554</p> <p>1 address disincentives in the 2 municipal agreements. See 1B below. 3 This proposal also creates an 4 opportunity for Ministry of Finance 5 to address distortions in this 6 market and to increase 7 accountability for the use of public 8 funds in the horse racing industry. 9 See Section 2.0. 10 The termination of SARP must be 11 initiated by using the termination 12 provisions and siteholder agreements 13 between the Ontario Lottery and 14 Gaming Corporation and the 15 individual racetracks." 16 It continues: 17 "As well, termination of the 18 SARP program will provide the 19 industry with an opportunity to 20 address long-term factors that 21 threaten the sustainability of the 22 industry such as continue to find a 23 customer base due to demographic 24 pressures and imbalances in purses. 25 Specifically this approach will</p>	<p style="text-align: right;">Page 556</p> <p>1 1963 Q. And those policy considerations 2 are specifically articulated in the Cabinet minute 3 itself which directs OLG to terminate SARP 4 effective March 2013; right? 5 A. The Cabinet submission includes 6 those policy objectives. I can't recall if the 7 minute includes them all, but certainly the Cabinet 8 submission discusses the objectives based on the 9 best information we have at the time. 10 1964 Q. Why don't we take a look at the 11 Cabinet minute to assist you. 12 A. Okay. 13 1965 Q. It's point 4. 14 A. Okay. So I have -- it says 15 "Proposed Cabinet Minute" and referring to -- 16 1966 Q. Page 80 at the bottom. 17 A. Yeah, 80, point 4. 18 1967 Q. "Ministry of Finance to direct OLG 19 to provide notice to terminate the 20 18 current siteholder agreements 21 with racetrack operators, 22 siteholders, effectively ending the 23 Slots at Racetrack Program by 24 March 31st, 2013." 25 A. I see that reference.</p>
<p style="text-align: right;">Page 555</p> <p>1 allow the market to decide to a 2 greater extent where and how much 3 horse racing should exist in 4 Ontario. 5 Given the level of funding to the 6 industry will be eliminated, 7 consolidation of racetracks can be 8 expected as right side of the 9 industry base. I.e., as expected, 10 only six to nine races tracks will 11 remain in the industry." 12 Do you see that? 13 A. I do see that. 14 1961 Q. And that was part of the document 15 that was before Cabinet when it was considering 16 OLG's modernization initiative? 17 A. That's correct. 18 1962 Q. So it wasn't just a case of 19 Cabinet directing OLG to increase its dividend to 20 the province no matter how, was it? 21 A. It was a balance between how much 22 revenue the province could get from OLG 23 modernization in light to other objectives of 24 having the industry transform to better meet 25 demand.</p>	<p style="text-align: right;">Page 557</p> <p>1 1968 Q. And that is what Cabinet directed 2 OLG? 3 A. That's what Cabinet approved. 4 1969 Q. Now, you told Mr. Lisus that 5 Ontario's 2012 budget didn't just cut SARP 6 spending; right? 7 A. It is a quite sweeping array of 8 expenditure management initiatives. 9 1970 Q. I think you said it implemented 10 cuts right across the board? 11 A. In fact, it was unprecedented to 12 have published a separate addendum of, I think, 50 13 pages listing out all the different expenditure 14 constraint items. 15 1971 Q. You told Mr. Lisus this was 16 because Ontario was facing very tough fiscal times? 17 A. Absolutely. A rising deficit, 18 credit rating agencies that either put the province 19 in a negative outlook which could mean further 20 downgrade or others have actually downgraded the 21 province. 22 1972 Q. Your office and the Ministry of 23 Finance were at the centre of the struggle to find 24 budget savings? 25 A. There was a sweep across the</p>

Page 558		Page 560	
1	system looking for savings. As well, the	1	\$87 million.
2	Don Drummond report that also identified areas that	2 1982	Q. This is support --
3	the government would need to consider.	3	A. That was going to low income
4 1973	Q. There were some things that	4	families with kids.
5	Ontario might have afforded in the past that it	5 1983	Q. Right. And Ontario wasn't going
6	could simply no longer afford?	6	to be able to spend as much money as it hoped and
7	A. There's a number of things that	7	planned on this program; right?
8	government had announced that they were pulling	8	A. That's correct.
9	back on, child support, electricity relief, a new	9 1984	Q. And that was just the reality of
10	hospital wing that they pulled back on because of	10	its fiscal situation?
11	the fiscal constraints.	11	A. That was one of the many tools at
12 1974	Q. That was just the reality of	12	the government's disposal to hit its fiscal
13	Ontario's current situation. These things became	13	targets.
14	must-do items; right?	14 1985	Q. Page 38, Ontario had to cut
15	A. It's really the aftermath of the	15	\$210 million out of funding for long-term care
16	2008-09 recession that had a significant impact on	16	homes; right? Do you see that?
17	the fiscal position of the province. We were one	17	A. Yes.
18	of the more harder-hit jurisdictions in North	18 1986	Q. This was money for people who are
19	America, sizable and negative impact on our	19	no longer able to live in their own homes and
20	revenues, and the government had been trying to	20	require around-the-clock personal support and
21	respond and adjust.	21	supervision; right?
22 1975	Q. If you look at the excerpts from	22	A. That is correct.
23	the addendum you just mentioned in Exhibit 39, if	23 1987	Q. Again, that was the reality of the
24	you look at page 27 of the addendum, for example.	24	fiscal situation?
25	A. Correct.	25	A. As one of the many decisions that
Page 559		Page 561	
1 1976	Q. The Ministry of Children and Youth	1	had to be made.
2	Services had to cut child protection costs by	2 1988	Q. Go back to page 15, Ontario cut
3	\$48.4 million; right?	3	funding for bussing kids to school by
4	A. Sorry, you're in 27?	4	\$34.3 million.
5 1977	Q. Yes. At the top.	5	A. Over a three-year target -- a
6	A. 48.4, yeah, that's correct.	6	three-year fiscal period, I should say.
7 1978	Q. That's money for the Children's	7 1989	Q. That's squeezing efficiencies out
8	Aid Society; right?	8	of getting kids to school; right?
9	A. Yes. That's my understanding,	9	A. Yeah, not knowing the specifics of
10	child welfare.	10	the details, that was the amount of savings that
11 1979	Q. Right. The Children's Aid Society	11	the Ministry of Education would have to come up
12	has been told to manage costs because that's what	12	with in that spending envelope.
13	Ontario's fiscal situation required; right?	13 1990	Q. And those last two examples I gave
14	A. It's one of the many areas	14	you, you told Mr. Lissus the government's priorities
15	identified for savings.	15	were health and education. They were making cuts
16 1980	Q. And these were obviously hard	16	even in health and education; right?
17	choices?	17	A. In order to afford the major
18	A. There was a number of difficult	18	spending in those areas.
19	choices the government had to make in landing the	19 1991	Q. Of course, it would have been
20	2012 budget.	20	understood at the time that these cuts would hurt
21 1981	Q. Bottom of page 27, Ontario had to	21	people?
22	cut \$87.4 million out of the Ontario Child Benefit;	22	A. I think there's a number of other
23	right?	23	ones where it -- they realized there would be tough
24	A. They delayed the implementation a	24	decisions, and the reaction from the various
25	year which reduced the amount of support by	25	stakeholders would be difficult.

Page 562		Page 564	
1	1992	Q.	Now, Mr. Lisus asked you a number
2			of questions about the ORC's race dates initiative,
3			the Ontario Racing Program. Do you remember that?
4		A.	I do recall.
5	1993	Q.	He asked you, in particular, where
6			was the note of caution in the ORC's public
7			pronouncements. Do you remember that? Where was
8			the warning to breeders?
9		A.	I do recall that discussion.
10	1994	Q.	Now, that wasn't really a fair
11			question because you weren't personally monitoring
12			the ORC's communications; right?
13		A.	It certainly wouldn't be me.
14	1995	Q.	If we look at Exhibit 6, this was
15			the briefing package that was apparently prepared
16			for you. I'm looking at the third page of the
17			slide deck, which is page 227, please.
18		MR. MATTHEWS:	Is this the slide,
19			Mr. Rosenberg?
20		MR. ROSENBERG:	Yes.
21		BY MR. ROSENBERG:	
22	1996	Q.	Sir, it appears that you are being
23			given an overview of the state of the horse racing
24			industry at the end of August 2010. And it says:
25			"Despite best efforts of
Page 563		Page 565	
1			government and the ORC to revitalize
2			and stabilize Ontario's standardbred
3			horse racing, it continues to face
4			ongoing challenges that include
5			declining wagering, lack of a
6			competitive live standardbred horse
7			racing product, failure to attract a
8			new consumer base, lack of defined
9			industry leadership."
10			Do you see that?
11		A.	I do see that on the slide.
12	1997	Q.	You would have understood that at
13			least the Ministry of Finance's view at the time
14			was that the standardbred horse racing industry
15			faced considerable challenges?
16		A.	That would have been my general
17			impression.
18	1998	Q.	You told Mr. Lisus that you also
19			remembered racetracks wanting fewer race dates and
20			horse people wanting more race dates. Do you
21			remember that?
22		A.	I do recall that discussion.
23	1999	Q.	It's not good for business when
24			the purveyor of your product wants to push less of
25			it; right?
1		A.	There was tension in the sector.
2	2000	Q.	And the tension in the sector
3			resulted in moratorium on race dates. I'm showing
4			you Policy Directive Number 6, 2009, from the
5			Ontario Racing Commission. This is SB5277 dated
6			October 8, 2009.
7			You remember discussing a moratorium on
8			race date reductions with Mr. Lisus?
9		A.	I do recall a general discussion
10			on the moratorium.
11	2001	Q.	And you see in the preamble to
12			this policy that the industry had been faced with
13			increasing applications for reductions of race
14			dates over the last number of years resulting in
15			race date reduction since 2006. Do you see that?
16		A.	I see the reference.
17	2002	Q.	And that's consistent with your
18			recollection of one of the challenges facing the
19			industry?
20		A.	That's consistent to the briefing
21			I got.
22		MR. ROSENBERG:	Why don't we mark this
23			SB5277 which is Exhibit 41 to Mr. Seiling's
24			examination. Let's make that the next exhibit for
25			identification to Mr. Orsini's examination, please.
1		MR. RATCLIFFE:	For identification?
2			What number?
3		MR. MILAT:	N.
4		MR. RATCLIFFE:	So it's Exhibit Number
5			N?
6		MR. MILAT:	Yes.
7		EXHIBIT NO. N for Identification:	
8			SB0005277.
9		BY MR. ROSENBERG:	
10	2003	Q.	Now, if you look at Exhibit 1 to
11			your examination --
12		A.	I don't recall that.
13	2004	Q.	We'll get that on the screen for
14			you. It's page 125. If we could just scroll down
15			the page. You'll see that Mr. Seiling, chair of
16			the ORC, is giving notice to the industry of:
17			"The deep concern I have as
18			board chair is the industry up to
19			the challenge? Will we see more of
20			the 'same old, same old' that has
21			produced the current impasse and
22			created distrust within many parts
23			of the industry? Or will we see a
24			productive, rewarding partnership
25			for all of the stakeholders?"

<p style="text-align: right;">Page 566</p> <p>1 Do you see that?</p> <p>2 A. I see the reference. But what was</p> <p>3 the date of that again?</p> <p>4 2005 Q. This is February 1st, 2010.</p> <p>5 A. Okay.</p> <p>6 2006 Q. And you'll see that Mr. Seiling</p> <p>7 continues, and he's optimistic. He chooses to</p> <p>8 believe that the industry can come together. Do</p> <p>9 you see that?</p> <p>10 A. I see that reference there.</p> <p>11 2007 Q. But certainly in view of the</p> <p>12 challenges that we've just reviewed, it's fair to</p> <p>13 say that as much as Mr. Seiling was optimistic,</p> <p>14 there was no surefire way to save this industry</p> <p>15 even by tackling the problem of race dates; right?</p> <p>16 MR. LISUS: Do you know anything about</p> <p>17 what was required to save the industry or change</p> <p>18 the industry, Mr. Orsini?</p> <p>19 THE WITNESS: I can't comment on that.</p> <p>20 There was a Sadinsky report that talked about the</p> <p>21 challenges. The OLG modernization was to look at</p> <p>22 getting better value for the money that was going</p> <p>23 into the system.</p> <p>24 BY MR. ROSENBERG:</p> <p>25 2008 Q. Well, if Mr. Lisus wants, I can</p>	<p style="text-align: right;">Page 568</p> <p>1 MR. ROSENBERG: I did on this point.</p> <p>2 MR. LISUS: Okay. So that's my point.</p> <p>3 Mr. Orsini is not a member of the ORC and made it</p> <p>4 clear that he's not an expert in the industry. The</p> <p>5 ORC was the expert.</p> <p>6 MR. ROSENBERG: I don't think that's</p> <p>7 his evidence, so I appreciate your evidence,</p> <p>8 Counsel.</p> <p>9 BY MR. ROSENBERG:</p> <p>10 2011 Q. Mr. Orsini, you see that reference</p> <p>11 to the challenges surrounding the buy-in of the</p> <p>12 racetracks?</p> <p>13 A. I do see the challenges faced by</p> <p>14 the buy-in group.</p> <p>15 2012 Q. The buy-in group you're referring</p> <p>16 to is operators of racetracks; right? That's</p> <p>17 what's referenced here, operators?</p> <p>18 A. Sorry, where?</p> <p>19 2013 Q. "Certain operators essentially</p> <p>20 refused to pursue new ideas</p> <p>21 where it might cost more money</p> <p>22 to operate."</p> <p>23 Right?</p> <p>24 A. I see that sub-bullet point. Yes,</p> <p>25 I do see that point there.</p>
<p style="text-align: right;">Page 567</p> <p>1 provide you some of the documents that he showed</p> <p>2 you on this point. So if we look at --</p> <p>3 MR. LISUS: The point is,</p> <p>4 Mr. Rosenberg, Mr. Orsini made it quite clear that</p> <p>5 he got involved in this portfolio in December of</p> <p>6 2011, and he didn't know anything about the horse</p> <p>7 racing industry.</p> <p>8 THE WITNESS: I would say I had earlier</p> <p>9 exposure, but I would not claim to be an expert.</p> <p>10 BY MR. ROSENBERG:</p> <p>11 2009 Q. Well, why don't we take Exhibit F</p> <p>12 to Mr. Orsini's examination, which is from March</p> <p>13 2011. This was an ORC presentation that was</p> <p>14 apparently being given. We can see the ORC's</p> <p>15 interpretation of some continued challenges at page</p> <p>16 10.</p> <p>17 MR. MATTHEWS: What's the page number</p> <p>18 in the right-hand corner?</p> <p>19 MR. ROSENBERG: 686, please.</p> <p>20 BY MR. ROSENBERG:</p> <p>21 2010 Q. It appears that the ORC was</p> <p>22 concerned about challenges surrounding the buy-in</p> <p>23 of racetracks.</p> <p>24 MR. LISUS: Mr. Rosenberg, you had the</p> <p>25 ORC here, and you examined them extensively.</p>	<p style="text-align: right;">Page 569</p> <p>1 2014 Q. And then further:</p> <p>2 "Operators are challenged by</p> <p>3 issue of 'do I spend operational</p> <p>4 money to improve revenue streams to</p> <p>5 the purse account if that purse</p> <p>6 account will not be available to my</p> <p>7 track.' Lack of buy-in to the</p> <p>8 provincial benefits."</p> <p>9 Do you see that?</p> <p>10 A. I do see that reference as well.</p> <p>11 2015 Q. And the way that you described the</p> <p>12 principles that Mr. Lisus reviewed with you -- and</p> <p>13 these are found in Exhibit 1. Mr. Lisus directed</p> <p>14 you to page 126 to principle 2, in particular:</p> <p>15 "Provide a fair return on</p> <p>16 investment over the short term while</p> <p>17 protecting value for owners and</p> <p>18 communities over the long term."</p> <p>19 Do you see that?</p> <p>20 A. I do see that reference.</p> <p>21 2016 Q. I think you said these were the</p> <p>22 principles that the ORC was bringing to the</p> <p>23 exercise of trying to solve the race date problem;</p> <p>24 right?</p> <p>25 A. That's my understanding.</p>

Page 570		Page 572	
1	2017	Q.	But it was not your understanding
2			ORC was promising anybody a fair return on
3			investment?
4		A.	Because the investment returns are
5			determined by so many factors external -- internal
6			to their operations, I would say that's a fair
7			assessment.
8	2018	Q.	Just in terms of the way that the
9			ORC got its money, am I right in thinking that the
10			ORC's funding was on year-by-year basis?
11		A.	It was funded from the industry
12			based on fees.
13	2019	Q.	I see. So the ORC gets money from
14			the Pari-Mutuel tax refund; is that right?
15		A.	I can't recall exactly, but
16			I think there's some type of revenue structure, fee
17			structure that the ORC has with the various
18			components of the sector.
19	2020	Q.	And it got money from SARP as
20			well; right?
21		A.	That I don't know offhand.
22	2021	Q.	But you don't recall an item of
23			funding coming from the consolidated revenue fund
24			to the ORC?
25		A.	I think it's one of those agencies
Page 571		Page 573	
1			that's self-funded from the sector. I don't recall
2			seeing a line item to fund the ORC.
3	2022	Q.	And so it's dependent on certain
4			revenue sources to pay for its programs?
5		A.	It's supported by the sector.
6	2023	Q.	Now, in terms of the ORC's
7			priorities, Mr. Lisus showed you Exhibit 12 which
8			was a Memorandum of Understanding between the ORC
9			and the Ministry of Finance.
10		A.	What page is that again?
11	2024	Q.	I'm sorry. It's Exhibit 12 to
12			Mr. Seiling's examination, Exhibit 14 to your
13			examination. I'm looking at Article 3.4, page 269.
14			And I'm looking at Article 3.4 on the fourth page.
15		A.	Yes, I see it.
16	2025	Q.	Mr. Lisus directed you to the
17			purpose of the ORC which was to support the sport
18			of horse racing and the sustainability of the
19			industry in the long term. Do you see that?
20		A.	I see that reference.
21	2026	Q.	That's a different objective or
22			perhaps a narrower objective than what the Ministry
23			of Finance was charged with doing, which was
24			delivering financial accountability in a much
25			broader sense for the province of Ontario; correct?
1		A.	The Ministry of Finance have many
2			responsibilities, and that would be one of them.
3	2027	Q.	And certainly it had to answer to
4			a much broader set of stakeholders than the
5			Ministry of Finance did?
6		A.	Yes.
7	2028	Q.	And it had to balance many more
8			competing demands for resources than did the ORC?
9		A.	I'd say that's a fair statement.
10	2029	Q.	You spoke with Mr. Lisus about
11			budget secrecy. Why was budget secrecy important?
12		A.	It's a longstanding convention of
13			the government. Depending on the type of
14			information that was disclosed, it had ministers
15			under duress for information getting leaked for the
16			budget process. I think a lot of it is because of
17			the ability to explain isolated or individual
18			measures without the broader context.
19			Cutting back funding in a world with
20			surpluses is much different than cutting back
21			funding from a world of big deficits. People will
22			understand that there's belt tightening right
23			across the system.
24			A lot of the time you want to present
25			that information with that broader context so
1			people understand why the government is doing what
2			it's doing. Sorry, to better understand why the
3			government is doing what it's doing. They may not
4			still agree, but they have a better sense of the
5			context.
6	2030	Q.	Was the 2012 budget particularly
7			sensitive because it was an austerity budget?
8		A.	It was a very tough budget. If
9			you look at past budgets, it was a very difficult
10			budget.
11	2031	Q.	Did that make it particularly
12			sensitive?
13		A.	It was -- because of a lot riding
14			on hitting and betting the cost curve-down and
15			turning the tide on deficits, it was a particularly
16			difficult budget.
17	2032	Q.	Was there anything unusual about
18			the way that the decision to cancel SARP proceeded
19			to a Cabinet committee?
20		A.	The process in which the ministry
21			is working up options, and there's direction coming
22			from the minister or from others as to what those
23			options should look like is consistent with the
24			preparation of Cabinet submissions. Each, though,
25			is unique and different in its own way.

Page 574

1 2033 Q. Was there anything unusual about
 2 this particular decision moving quickly?
 3 A. I think there's a number of items
 4 through that whole budget process that worked
 5 through very quickly. I would not say this was the
 6 only one.
 7 2034 Q. Did you have the view that the
 8 decision to terminate SARP was not Cabinet-ready?
 9 A. It was -- Cabinet made the
 10 decision on the best information we had at the
 11 time.
 12 2035 Q. And so if I put to you is this
 13 decision Cabinet-ready, what would you say?
 14 A. I'd say it's the best information
 15 we had at the time.
 16 2036 Q. I think you gave that answer to
 17 Mr. Lisus a number of times. I don't think either
 18 one of us is going to get a different answer from
 19 you.
 20 A. It's -- we had a number of
 21 measures coming forward. The ministry is working
 22 on all fronts, and it was the information we had at
 23 the time to give Cabinet a document that presented
 24 the information we had at the time.
 25 2037 Q. Now, Mr. Lisus suggested that

Page 575

1 there were perhaps changes made to the Cabinet
 2 submission after you had signed the initial draft.
 3 Do you remember that?
 4 A. Sometimes there was tweaks to the
 5 wording or to the type of information that's
 6 included, and so that might occur after a signature
 7 as it's going into the system.
 8 2038 Q. Mr. Lisus put to you that the
 9 period for transition funding for SARP appeared to
 10 have changed after you had signed that initial
 11 draft. Do you remember that?
 12 A. I don't recall exactly the -- I
 13 know there's references to some changes, but I
 14 can't recall actually what the changes were at the
 15 end.
 16 2039 Q. The evidence that you reviewed
 17 today on that point, did that cause you any
 18 concern?
 19 A. In terms of the changes? It's the
 20 minister's direction. So as a public service, we
 21 are responding to direction and preparing a Cabinet
 22 submission that the minister would be taking in for
 23 approval.
 24 2040 Q. And you were satisfied that the
 25 Cabinet submission ultimately reflected the

Page 576

1 minister's recommendations?
 2 A. It would have captured the
 3 direction from the government and the minister
 4 representing -- the ministry bringing the Cabinet
 5 submission forward.
 6 2041 Q. In terms of how that decision --
 7 submission to Cabinet for a decision went from a
 8 committee to Cabinet, was there anything unusual
 9 about that?
 10 A. No. There's a Cabinet committee
 11 close to a Cabinet date, and so it -- my
 12 recollection based on the material I saw, it went
 13 to a Cabinet committee on the 7th and then to full
 14 Cabinet on the 8th.
 15 2042 Q. Mr. Lisus suggested to you that
 16 civil servants were for cancelling SARP but
 17 recommended a three-year step-down, and then the
 18 Minister of Finance or the Premier preferred a
 19 one-year phase-out. Do you remember that?
 20 A. I remember that discussion.
 21 2043 Q. Is there anything unusual about
 22 elected officials ultimately choosing to recommend
 23 to Cabinet a different course than the one put
 24 forward by the civil service?
 25 A. There's often when options are

Page 577

1 prepared, and the government may want -- may change
 2 those options going into Cabinet.
 3 2044 Q. And Cabinet itself may change
 4 recommendation --
 5 A. And Cabinet may change it as well.
 6 2045 Q. Cabinet may change it. Is it fair
 7 to say that cancelling SARP was one decision that
 8 the government took, and determining the
 9 appropriate level of funding for horse racing was
 10 another decision?
 11 A. So repeat that again, please.
 12 2046 Q. Is it fair to say that the
 13 decision to cancel SARP was one decision that the
 14 government took, and then setting the appropriate
 15 level of horse racing funding was another decision
 16 that the government took?
 17 A. So there's a number of decisions
 18 that government made. One is to maintain the tax
 19 reduction. So that was one. Two, to its decision
 20 on when to end the Slots at Racetrack Program.
 21 Three, in terms of negotiating rent space from the
 22 racetracks.
 23 These are all separate decisions of the
 24 government related to -- the decision related to
 25 provide transitional support, a decision of

Page 578		Page 580	
1	Cabinet.	1	I think you gave the example of northern
2	2047 Q. They're separate decisions?	2	transportation.
3	A. They're separate decisions.	3	A. So the ONTC was another big
4	Sometimes they're grouped together, and sometimes	4	decision the government made that they later,
5	they're done in sequence.	5	informing an advisory committee, made changes to
6	2048 Q. If you just cancel SARP without	6	the exact implementation of that decision, and that
7	taking any other decisions, the effect is that when	7	was made part of the budget process.
8	SARP funding stops, there is no replacement	8	2055 Q. Why did the government make
9	funding; right?	9	changes to that decision?
10	A. So besides a Pari-Mutuel Tax	10	A. Feedback from the sector, from the
11	Reduction, that that would have been the end of	11	region. I can't recall exactly, but it would be
12	that program, depends what they did elsewhere in	12	similar in nature to the horse racing.
13	terms of the rental space and so forth.	13	2056 Q. Was this kind of feedback a
14	2049 Q. Those would have to be separate	14	natural part of the budgeting process?
15	decisions taken?	15	A. You're rolling out a whole bunch
16	A. They would be part of the total	16	of different initiatives based on the best
17	package of decisions to be made over a period of	17	information it had at the time. As more
18	time.	18	information comes forward, there's more engagement
19	2050 Q. If you just cancelled SARP without	19	with the -- the government will time after time
20	those other decisions other than the Pari-Mutuel	20	make adjustments to those decisions.
21	tax refund, there's no further funding for horse	21	This -- other budgets have similar
22	racing?	22	feedback mechanisms. We made changes with the
23	A. Under that scenario, yes.	23	Harmonized Sales Tax. The government made an
24	2051 Q. What do you say to the suggestion	24	announcement in 2009. There was changes to the
25	that cancelling SARP and providing only a year of	25	program all the way up to 2010 budget and 2011
Page 579		Page 581	
1	transition funding were decisions taken by civil	1	budget.
2	servants or political staffers?	2	2057 Q. And that's just a normal part of
3	A. I think at the end of the day in	3	responding to feedback as changes are implemented?
4	deciding on the full budget -- so this decision	4	A. And as more information comes
5	would have been made in context, I believe, of all	5	available.
6	the other decisions that we'd be making in lead-up	6	2058 Q. Do you have any evidence to
7	to the budget.	7	suggest that cancelling SARP was an irrational
8	2052 Q. I'm sorry. I'm not sure I	8	decision when it was made?
9	understood your answer there, sir.	9	A. I'm not going to comment on the
10	A. Could you repeat it?	10	government direction. As a public service, we
11	2053 Q. What do you say to the suggestion	11	prepare submissions based on the direction we've
12	that cancelling SARP and providing only a year of	12	received.
13	transitional funding were actually decisions taken	13	2059 Q. My question is a little bit
14	by civil servants or political staffers as opposed	14	different, though, sir. I'm not asking whether it
15	to elected officials?	15	was a good decision or a bad decision. I'm asking
16	A. The public service brings	16	if you have evidence as to whether it was an
17	proposals forward at different intervals, and the	17	irrational decision.
18	government reviews those proposals. In light of	18	A. They made their decision based on
19	everything else, we'll then ask the public service	19	the best information we had available which was
20	to go back and change those proposals until it	20	contained in the Cabinet submission.
21	meets the objective, and then, therefore, it's a	21	2060 Q. Same answer for the decision to
22	government decision, not a public service decision.	22	discontinue funding to the horse racing industry in
23	2054 Q. You told Mr. Lisus that the	23	March 2013?
24	government made adjustments to some other decisions	24	A. That's following one year's
25	in the 2012 budget as they were rolled out. And	25	notice.

Page 582	Page 584
<p>1 2061 Q. Yes.</p> <p>2 A. So that was part of the February</p> <p>3 Cabinet decision.</p> <p>4 2062 Q. Do you have any evidence that that</p> <p>5 decision was irrational?</p> <p>6 A. The government based its decision</p> <p>7 on the best information they had at the time.</p> <p>8 2063 Q. Do you have any evidence to</p> <p>9 suggest that cancelling SARP was a decision taken</p> <p>10 in bad faith?</p> <p>11 A. The government -- based on our</p> <p>12 Cabinet submission, they made the decision, as I</p> <p>13 can tell, from the information we provided them.</p> <p>14 2064 Q. And you said that was the best</p> <p>15 evidence available?</p> <p>16 A. Best information we had at the</p> <p>17 time.</p> <p>18 2065 Q. What about the decision to</p> <p>19 discontinue funding to the horse racing industry in</p> <p>20 March 2013, was that taken in bad faith?</p> <p>21 A. That was the same decision they</p> <p>22 made on February 7th and 8th based on a Cabinet</p> <p>23 submission we provided them.</p> <p>24 2066 Q. Part of that group of decisions I</p> <p>25 think you said.</p>	<p>1 a minute.</p> <p>2 -- OFF THE RECORD DISCUSSION --</p> <p>3 CROSS-EXAMINATION BY MR. RATCLIFFE:</p> <p>4 2069 Q. For the record, I'm</p> <p>5 Robert Ratcliffe, here on behalf of the province of</p> <p>6 Ontario, and I have a few questions for you.</p> <p>7 Earlier in response to Mr. Lisus's</p> <p>8 questions and also Mr. Rosenberg's questions, you</p> <p>9 made reference to the challenges Ontario faced at</p> <p>10 the time that the budget was being drafted in 2012.</p> <p>11 A. Can you repeat that?</p> <p>12 2070 Q. There were challenges at the time.</p> <p>13 A. Yeah, there was a number of --</p> <p>14 2071 Q. But you made reference to a large</p> <p>15 deficit. Was that roughly 14 or 15 --</p> <p>16 A. So the budget in the prior year</p> <p>17 came in at 14 billion. We were facing with a</p> <p>18 \$15 billion deficit. We were faced also with</p> <p>19 rating agencies looking at --</p> <p>20 MR. LISUS: Mr. Ratcliffe, we've heard</p> <p>21 this about half a dozen times.</p> <p>22 MR. RATCLIFFE: I know. And I'm going</p> <p>23 on to talk about something a little bit different</p> <p>24 than that. So, I mean, I'm establishing a topic.</p> <p>25 Thank you.</p>
Page 583	Page 585
<p>1 A. It was part of the group of</p> <p>2 decisions they made at that time based on the best</p> <p>3 information that the Ministry of Finance had at the</p> <p>4 time.</p> <p>5 2067 Q. Do you have any evidence to</p> <p>6 suggest that the decision to cancel SARP was taken</p> <p>7 in a manner that was extremely careless?</p> <p>8 A. The Cabinet decision was based on</p> <p>9 a Ministry of Finance submission, detailed</p> <p>10 submission, based on the best information we had at</p> <p>11 the time.</p> <p>12 2068 Q. Same answer for the decision to</p> <p>13 discontinue funding to the horse racing industry in</p> <p>14 March 2013? You have no evidence to suggest that</p> <p>15 that decision was extremely careless?</p> <p>16 A. The government -- the Cabinet --</p> <p>17 the material we provided Cabinet was the</p> <p>18 information we had at the time, and their decision</p> <p>19 reflected the material that went into Cabinet.</p> <p>20 MR. ROSENBERG: I want to go off the</p> <p>21 record for a moment.</p> <p>22 -- OFF THE RECORD DISCUSSION --</p> <p>23 MR. ROSENBERG: Thank you very much,</p> <p>24 sir. Those are my questions.</p> <p>25 MR. RATCLIFFE: Just off the record for</p>	<p>1 BY MR. RATCLIFFE:</p> <p>2 2072 Q. And the implications of credit</p> <p>3 ratings would be what in terms of the financial</p> <p>4 aspects for the province?</p> <p>5 A. So at the time, the government was</p> <p>6 monitoring how credit rating agencies were going to</p> <p>7 view our debt, and further downgrades had the</p> <p>8 potential of increasing our borrowing costs which</p> <p>9 would intend -- require other cuts in the system to</p> <p>10 meet our deficit target. So that was always --</p> <p>11 always continued to be a factor.</p> <p>12 2073 Q. Now, you made reference or</p> <p>13 described it as what's known as the great</p> <p>14 recession. Had Ontario moved into a new position</p> <p>15 vis-à-vis other provinces in the confederation? It</p> <p>16 was now what's referred to as a "have-not</p> <p>17 province"?</p> <p>18 A. Yes. The province had moved from</p> <p>19 a have to a have-not province.</p> <p>20 2074 Q. What does that mean?</p> <p>21 A. It means that our economic growth</p> <p>22 was growing more slowly than other provinces. We</p> <p>23 faced a more significant downturn. At the time not</p> <p>24 knowing exactly -- I can't recall the specifics,</p> <p>25 but some of the western provinces were gaining</p>

Page 586	Page 588
<p>1 economic growth, and that resulted in the province 2 meeting the federal equalization program which 3 actually gave the province some funds out of the 4 equalization funding program. 5 2075 Q. Was there pressure from Canada as 6 well for Ontario to get its financial house in 7 order? Was there pressure from that direction? 8 A. So the federal government was 9 critical of the province. The former minister, 10 late minister, Jim Flaherty, had raised concerns 11 about our debt situation and our credit rating 12 situation. 13 2076 Q. Now, I'd like to just take you to, 14 you know, the practice around Cabinet secrecy. 15 You've had questions from Mr. Lisus and also 16 Mr. Rosenberg. 17 What is the problem if, you know, close 18 to the time those decisions are being made, there 19 was outreach to OMAFRA or there was outreach to the 20 Ontario Racing Commission when you're looking at 21 cross-government? Why can't you share what you're 22 doing with individual players, I guess, in the 23 system? 24 A. So a lot of conversations we'll 25 have with line ministries and agencies and</p>	<p>1 A. This occurred from time to time. 2 2080 Q. So it wasn't just this case? 3 A. So there's been other cases where 4 a decision is going to Cabinet, they have -- we get 5 direction as to a different course of action. 6 2081 Q. Now, I'd like to take you to the 7 transition funding. The announcement was made in 8 March of 2012 in terms of going forward in the 9 cancellation of SARP? 10 A. The announcement was in, yes, 11 March of 2012. 12 2082 Q. And the panel was actually -- the 13 announcement for the panel that was going to look 14 into this was made in June of the same year? 15 A. That's correct. 16 2083 Q. And in the intervening period, 17 there would have been steps taken in terms of 18 discussing what the government should do when 19 reaching out to the three panel members and making 20 all the arrangements for that? 21 A. So I think early after the budget, 22 there is a lot of discussion in terms of, you know, 23 we're getting a lot of feedback from different 24 stakeholders obviously that the horse racing 25 industry was quite concerned, and the government</p>
<p>1 stakeholders. Once the government starts getting 2 into making difficult situations, often we go into 3 budget secrecy. 4 And closer to the budget, more and more 5 gets contained and becomes limited to a smaller 6 group of people. And then that gets built into the 7 budget and then part of our budget announcement. 8 2077 Q. So when you talk about getting 9 closer to the budget, if you're within two or three 10 weeks of the budget? 11 A. Or two and three months. 12 2078 Q. Or two and three -- 13 A. If it's a late March, early April, 14 you're into January, February, you start to become 15 more concerned with confidentiality. As you can 16 see, some of the documents were password protected. 17 Additional security gets put in place. 18 2079 Q. Now, Mr. Lisus raised the question 19 about how there could be this change in direction, 20 I guess, that took place on the 2nd or 3rd of 21 February and the Cabinet decisions being made on 22 the 8th. 23 Was there anything unusual about 24 Cabinet decisions being made at the last minute? 25 Did this occur in other cases?</p>	<p>1 wanted to get additional advice. 2 And so they were then thinking of who 3 would be the people that would sit on the panel. 4 The Minister of Agriculture and Food and Rural 5 Affairs played a role in providing the advice of 6 who should be on the panel and was assigned the 7 responsibility to have the panel report to that 8 minister. 9 2084 Q. Is it fair to say that this 10 process moved forward very quickly? 11 A. I'd say fairly quickly, yes. 12 2085 Q. Their interim report came out in 13 August of the same year? 14 A. If I recall correctly, yes. 15 2086 Q. Now, the starting point for this, 16 I guess, was \$50 million in transition funding. 17 That grew over time, did it not? 18 A. I think as more information came 19 available, the panel recommended additional 20 funding, and the government over time began to 21 bring forward -- the ministry brought forward 22 proposals to provide additional relief for the 23 sector. 24 2087 Q. And at one point, it was 25 \$400 million over five years. Do you recall that?</p>

Page 590

1 A. I can't recall.
 2 2088 Q. You're not familiar with that?
 3 A. I remember seeing an earlier one
 4 where it was \$150 million a year for three years.
 5 2089 Q. You moved into a different
 6 position at that point in time or around that time?
 7 A. So there was different stages, and
 8 I can't recall exactly where I was, but I was
 9 Deputy Minister of Finance when the government was
 10 looking at or considering additional relief for the
 11 sector.
 12 2090 Q. And so if I were to say that at
 13 the present moment in time, it's \$500 million over
 14 five years, you're not in a position to know
 15 whether or not that's true or not?
 16 A. I don't want to comment on that,
 17 per se, because I'm not familiar with the details.
 18 MR. RATCLIFFE: Those are my questions.
 19 RE-CROSS-EXAMINATION BY MR. LISUS:
 20 2091 Q. Mr. Orsini, I have a few questions
 21 for you. You were asked some questions by
 22 Mr. Rosenberg about OLG's business. Do you
 23 remember that?
 24 A. There was a number of questions.
 25 Can you be more specific?

Page 591

1 2092 Q. OLG is a government business
 2 enterprise; correct?
 3 A. That's correct.
 4 2093 Q. And government business
 5 enterprises are government organizations that have
 6 specific characteristics; correct?
 7 A. I think they have certain
 8 characteristics, yes.
 9 2094 Q. One, they are separate legal
 10 entities with the power to contract in their own
 11 name; right?
 12 A. That could be one of them.
 13 2095 Q. Well, I'll take you to
 14 Mr. Drummond's report where he summarizes the
 15 characteristics of a government business
 16 enterprise.
 17 MR. MATTHEWS: So I'm showing the
 18 witness Exhibit 39 to Mr. Phillips' examination
 19 which is excerpts from the report.
 20 BY MR. LISUS:
 21 2096 Q. And you are aware of the
 22 characteristics of government business enterprises
 23 because part of your responsibility was government
 24 business enterprises, OLG, LCBO, and others;
 25 correct?

Page 592

1 A. Those two.
 2 2097 Q. Those two. Okay. So if we look
 3 at the characteristics of a government business
 4 enterprise, they are government organizations that,
 5 one, are separate legal entities with the power to
 6 contract in their own name; correct?
 7 A. I see that reference.
 8 2098 Q. Have the financial and operating
 9 authority to carrying on a business; correct?
 10 A. I see that as well.
 11 2099 Q. Are principally focused on the
 12 selling of goods and services to individuals and
 13 nongovernment organizations?
 14 A. I see that.
 15 2100 Q. And are able to maintain their
 16 operations and meet their obligations through
 17 revenues generated outside the government entity;
 18 correct?
 19 A. I see that as well.
 20 2101 Q. And OLG, as a government business
 21 enterprise, has all those characteristics; correct?
 22 A. They look familiar to the
 23 operations of the OLG.
 24 2102 Q. And OLG with its Slots at
 25 Racetrack Program was carrying on a business at

Page 593

1 racetracks; right?
 2 A. One could make that point.
 3 2103 Q. And OLG was selling services to
 4 individuals at those racetracks; right?
 5 A. Through their slots, machines.
 6 2104 Q. Right. And through the sale of
 7 the services through their slot machines, OLG was
 8 generating revenue; correct?
 9 A. Correct.
 10 2105 Q. And OLG was maintaining its
 11 operations through the revenue it was generating
 12 through its slot machines at the racetracks?
 13 A. Among other lines of business.
 14 2106 Q. Correct. And the commissions
 15 which were paid as a revenue as part of the
 16 revenue-sharing agreement were, as we discussed, an
 17 operating expense of OLG in the carrying on of its
 18 business?
 19 MR. ROSENBERG: Mr. Lisus, you would
 20 not let the witness answer these questions, and you
 21 can't ask them to him now.
 22 MR. LISUS: Oh, he answered them in
 23 spades, Mr. Rosenberg.
 24 MR. ROSENBERG: You asked them to him
 25 your first time around. You're just asking the

<p style="text-align: right;">Page 594</p> <p>1 same question.</p> <p>2 MR. LISUS: I'm following up on your</p> <p>3 questions.</p> <p>4 BY MR. LISUS:</p> <p>5 2107 Q. The commissions paid were</p> <p>6 operating expenses incurred in the carrying on of</p> <p>7 the business of operating slot machines and</p> <p>8 providing a service to individuals and</p> <p>9 nongovernment organizations; right?</p> <p>10 A. Repeat that.</p> <p>11 2108 Q. The commissions that were paid</p> <p>12 under the Slots at Racetrack Program were an</p> <p>13 operating expense of the business that OLG was</p> <p>14 carrying on at the racetracks; right?</p> <p>15 MR. RATCLIFFE: The objection I have,</p> <p>16 Mr. Lisus, is I don't see how this is relevant to</p> <p>17 the issues in play. Maybe you can explain how it's</p> <p>18 even relevant.</p> <p>19 MR. LISUS: I think it's highly</p> <p>20 relevant to the question of whether these revenues</p> <p>21 were a subsidy or a business development support or</p> <p>22 simply an operating expense of a business carried</p> <p>23 on by a government business enterprise at</p> <p>24 racetracks.</p> <p>25 THE WITNESS: The response I gave</p>	<p style="text-align: right;">Page 596</p> <p>1 BY MR. LISUS:</p> <p>2 2112 Q. In any event, we can agree, sir,</p> <p>3 that the commission was generated by the playing of</p> <p>4 slot machines, not by the needs of the horse racing</p> <p>5 sector. We can agree on that; right?</p> <p>6 A. I think the understanding was it</p> <p>7 wasn't tied to the races or the number of horses</p> <p>8 and so forth.</p> <p>9 2113 Q. Right.</p> <p>10 A. It was tied to the amount of</p> <p>11 betting.</p> <p>12 2114 Q. Correct. When you say "it," we're</p> <p>13 talking about the commissions that were then</p> <p>14 shared; right?</p> <p>15 A. We're talking about the total</p> <p>16 amount of the proceeds coming from the slots less</p> <p>17 the winnings, but the gross proceeds coming off</p> <p>18 after the winnings was the basis, as I understand,</p> <p>19 in a nonlegalistic terms is my understanding of</p> <p>20 what was the amount of money that was then divvied</p> <p>21 up.</p> <p>22 2115 Q. Right. And that money that was</p> <p>23 divvied up depended entirely on what kind of</p> <p>24 activity there were at the slot machines, not the</p> <p>25 needs of the horse racing sector; correct?</p>
<p style="text-align: right;">Page 595</p> <p>1 earlier to Mr. Rosenberg, it was a rate out of -- a</p> <p>2 percentage rate out of the betting on slots. The</p> <p>3 terminology you're using, I'm giving it a more</p> <p>4 generic understanding.</p> <p>5 BY MR. LISUS:</p> <p>6 2109 Q. The commission was a set</p> <p>7 20 percent rate out of the betting on the slot</p> <p>8 machines; right?</p> <p>9 A. It was a rate -- a fixed rate on</p> <p>10 the amount betted on slot machines.</p> <p>11 2110 Q. Right. And the revenue or profit</p> <p>12 that was generated from those slot machines</p> <p>13 depended on the profitability of the slot machines</p> <p>14 at that particular racetrack; correct?</p> <p>15 A. To use the term "profitability,"</p> <p>16 which talks about costs, not knowing the costs --</p> <p>17 we talked about that earlier -- it was based on the</p> <p>18 gross proceeds.</p> <p>19 2111 Q. No, I think the commission was</p> <p>20 based on the net win, sir.</p> <p>21 MR. ROSENBERG: Do you know?</p> <p>22 MR. LISUS: It's in the siteholder</p> <p>23 agreement.</p> <p>24 THE WITNESS: I'm talking about the</p> <p>25 gross proceeds coming out of the slots.</p>	<p style="text-align: right;">Page 597</p> <p>1 MR. ROSENBERG: He answered this</p> <p>2 already. This is not proper reexamination.</p> <p>3 THE WITNESS: It would be depending on</p> <p>4 number of slot machines, the number of people</p> <p>5 betting, the attractiveness to the people coming.</p> <p>6 BY MR. LISUS:</p> <p>7 2116 Q. Thank you. Now, you talked about</p> <p>8 budget secrecy. The budget was released on</p> <p>9 March 26, 2012; correct?</p> <p>10 A. Yes, thereabouts.</p> <p>11 2117 Q. And you aren't suggesting, sir,</p> <p>12 that Mr. Seiling, the chair of the ORC, couldn't be</p> <p>13 trusted to be consulted in confidence about the</p> <p>14 consequences of the decision that was directed by</p> <p>15 Mr. McGuinty and Mr. Duncan and subsequently</p> <p>16 approved by Cabinet, are you?</p> <p>17 A. No. We're not in the position of</p> <p>18 deciding who gets told when.</p> <p>19 2118 Q. In fact, Mr. Seiling was, in fact,</p> <p>20 told about the decision in advance of March 26 when</p> <p>21 the budget was released?</p> <p>22 A. That would be a minister's office</p> <p>23 decision as to when external stakeholders would be</p> <p>24 informed.</p> <p>25 2119 Q. Right. And he did maintain</p>

Page 598

1 confidence; right? He didn't leak what
 2 Mr. Stransky told him?
 3 MR. RATCLIFFE: When was this?
 4 MR. ROSENBERG: Mr. Lisus, be fair to
 5 the witness. You put to him that he was told the
 6 day before the announcement was made on March 12th.
 7 BY MR. LISUS:
 8 2120 Q. That was the day before the
 9 announcement was made about the modernization plan
 10 which was in advance of the budget release; right,
 11 Mr. Orsini?
 12 A. And that's the government's
 13 prerogative of when they announce or release the
 14 details.
 15 2121 Q. I understand. All I'm suggesting
 16 to you, sir, is that the government clearly wasn't
 17 concerned about budget secrecy with respect to
 18 Mr. Seiling because they, in fact, told him about
 19 the decision prior to the release of the budget;
 20 right?
 21 MR. ROSENBERG: Mr. Lisus, that's
 22 absurd. The modernization report announced the
 23 termination of SARP on March 12th. You've
 24 established that already. It was public.
 25 BY MR. LISUS:

Page 599

1 2122 Q. Do you agree with me that
 2 Mr. Seiling was told prior to the release of the
 3 budget?
 4 A. So if the government is announcing
 5 something, either itself or through an agency prior
 6 to the budget, then that's all coordinated. And if
 7 it's all coordinated, they in turn will let people
 8 know at the appropriate time.
 9 2123 Q. But you aren't suggesting to me,
 10 sir, that Mr. Seiling couldn't be trusted to be
 11 consulted about the consequences of the decision?
 12 A. I'm not making any comment on that
 13 or...
 14 2124 Q. Now, you talked a lot about the
 15 economic climate in 2012 to Mr. Rosenberg and
 16 Mr. Ratcliffe. Do you remember that?
 17 A. Yes.
 18 2125 Q. And I take it you'll agree with
 19 me, Mr. Orsini, that the government has to make
 20 decisions responsibly regardless of the economic
 21 climate; right?
 22 A. The government makes decisions all
 23 the time based on the information they have at the
 24 time.
 25 2126 Q. Correct. And the people of

Page 600

1 Ontario have a right to expect that the government
 2 will make decisions responsibly in tough times and
 3 in good economic times; correct?
 4 A. That would be a fair assessment.
 5 2127 Q. You aren't at all suggesting that
 6 because there happens to be a tough economic
 7 climate, that the government is permitted to behave
 8 less responsibly in the making and implementing of
 9 important decisions; correct?
 10 A. The government always needs to
 11 balance a number of objectives when they're making
 12 decisions.
 13 2128 Q. But always, regardless of the
 14 economic climate, the government has to make
 15 decisions responsibly based on the best information
 16 available to it; correct?
 17 A. That would be an operating
 18 assumption.
 19 2129 Q. Right. And regardless of the
 20 economic climate, the government has to implement
 21 the decisions it makes responsibly?
 22 A. The tougher the economic
 23 environment, the tougher the decision and the
 24 implementation of those decisions.
 25 2130 Q. But regardless of the economic

Page 601

1 climate, you and I can agree, sir, that the
 2 government has to implement its decisions in the --
 3 A. In the most responsible way
 4 possible.
 5 2131 Q. And we can also agree, sir, that
 6 regardless of the economic climate, the government
 7 has to implement its decisions in good faith;
 8 correct?
 9 A. I would say the government, in
 10 making its decision, would want to weigh in all the
 11 factors.
 12 2132 Q. Right. And get the best
 13 information available; correct?
 14 A. That's correct.
 15 2133 Q. All right. You told us about the
 16 difficult economic environment. And what you were
 17 describing was a difficult economic environment for
 18 the people of Ontario; right?
 19 A. It was a difficult fiscal
 20 environment for all parts of the economy, including
 21 the people of Ontario.
 22 2134 Q. And because it was a difficult
 23 fiscal climate for the people of Ontario, can we
 24 agree that the government ought to have taken
 25 particular care in making and implementing

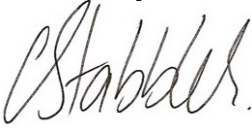
Page 602

1 decisions that would have an impact on people's
2 livelihoods and investments?
3 A. I think they would be making a
4 judgment on all those plus people's health care,
5 emergency room visits, surgeries, all the elements
6 of public services.
7 2135 Q. Of course. Included in that
8 decision-making process would be the manner in
9 which government communicated its decisions to the
10 people affected by them; right?
11 A. I think the communication process
12 would look at how best to communicate any change to
13 the sector.
14 2136 Q. Right. Particularly if the change
15 that was being implemented was going to have a
16 significant economic consequence on stakeholders;
17 right?
18 A. They would pay particular
19 attention to those situations.
20 2137 Q. And that is what responsible
21 government decision implementation is about; right?
22 A. Certainly the communications would
23 want to take into all aspects of the context of the
24 decision and who was affected by the decision.
25 2138 Q. And the consequences of the

Page 603

1 decision as well?
2 A. And the impact, positive and
3 negative.
4 MR. LISUS: Thank you, Mr. Orsini.
5 -- Whereupon the cross-examination concluded at
6 6:35 p.m. --
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Page 604

1 REPORTER'S CERTIFICATE
2
3 I, CARISSA STABBLER, Court
4 Reporter, certify;
5
6 That the foregoing proceedings were
7 taken before me at the time and place therein set
8 forth, at which time the witness was put under oath
9 by me;
10 That the testimony of the witness
11 and all objections made at the time of the
12 examination were recorded stenographically by me
13 and were thereafter transcribed;
14
15 That the foregoing is a true and
16 correct transcript of my shorthand notes so taken.
17
18 Dated this 28th day of February 2018.
19
20 
21
22 _____
23 NEESON COURT REPORTING INC.
24 PER: CARISSA STABBLER, RPR, CSR
25 COURT REPORTER

\$	1000 283:13	1036 292:5	1071 306:6	1105 314:13
	1001 283:15	1037 292:8	1072 306:10	1106 315:12
\$1.2 300:8	1002 283:17	1038 292:24	1073 306:20	1107 315:22
\$100 331:7 335:5 341:24 350:23 354:21 359:16 365:11 376:9	1003 283:21	1039 293:9	1074 306:22	1108 316:2
\$15 495:10 584:18	1004 283:25	1040 293:13	1075 306:24	1109 316:13
\$150 488:6 590:4	1005 284:5	1041 293:17	1076 307:10	1110 316:15
\$210 560:15	1006 284:14	1042 293:22	1077 307:14	1111 317:5
\$28 499:6	1007 284:20	1043 293:24	1078 307:23	1112 317:9
\$3.4 301:15 302:18	1008 284:23	1044 296:20	1079 308:13	1113 317:13
\$300 488:2	1009 285:1	1045 298:20	1080 308:20	1114 317:18
\$34.3 561:4	1010 285:14	1046 298:25	1081 308:24	1115 317:23
\$350 531:17 532:6, 17 540:11,16	1011 285:17	1047 299:7	1082 309:5	1116 318:4
\$400 589:25	1012 285:21	1048 299:13	1083 309:9	1117 318:6
\$48.4 559:3	1013 286:2	1049 299:18	1084 309:18	1118 318:12
\$50 459:6 460:14 494:22 589:16	1014 286:7	1050 300:3	1085 310:1	1119 318:16
\$500 590:13	1015 286:12	1051 300:7	1086 310:9	1120 321:14
\$80.6 513:19	1016 286:21	1052 300:17	1087 310:12	1121 321:19
\$87 560:1	1017 287:8	1053 301:12	1088 310:18	1122 321:23
\$87.4 559:22	1018 287:12	1054 301:25	1089 310:22	1123 322:1
1	1019 287:17	1055 302:12	1090 311:9	1124 322:9
1 292:21 329:10 361:1,21 364:2,7 379:22 473:15 478:12 498:12 499:1 521:11 565:10 569:13	1020 287:22	1056 302:16	1091 311:18	1125 322:13
1,900 458:16	1021 288:4	1057 302:22	1092 311:22	1126 322:22
1.1 345:20	1022 288:12	1058 302:25	1093 312:1	1127 322:25
10 271:9 316:8 368:4 409:18 495:12 536:18,20 537:2 567:16	1023 288:21	1059 303:7	1094 312:8	1128 323:2
10-8 316:8	1024 288:25	1060 303:11	1095 312:14	1129 323:8
100 325:4 358:22 366:23 376:4 377:13 378:6,16,23	1025 289:2	106086 431:22	1096 312:19	1130 323:13
	1026 289:6	1061 303:23	1097 312:23	1131 323:18
	1027 289:15	1062 304:7	1098 312:25	1132 323:25
	1028 289:20	1063 304:13	1099 313:3	1133 324:11
	1029 290:1	1064 304:15	10:06 270:1	1134 324:13
	1030 290:4	1065 304:18	11 433:10 449:11 495:12 553:4	1135 324:23
	1031 290:13	1066 304:24	1100 313:7	1136 325:1
	1032 290:21	1067 305:7	1101 313:10	1137 325:9
	1033 291:14	1068 305:13	1102 313:18	1138 325:15
	1034 291:19	1069 305:18	1103 313:25	1139 325:19
	1035 291:22	1070 306:1	1104 314:7	1140 325:25

1141 326:3	1177 335:19	1204 341:11	1240 349:21	1274 358:11
1142 326:11	1178 335:21	1205 341:15	1241 349:24	1275 358:13
1143 326:16	1179 336:2	1206 341:19	1242 350:15	1276 358:17
1144 326:24	1180 336:8	1207 342:3	1243 350:20	1277 358:21
1145 327:1	1181 336:25	1208 342:8	1244 351:4	1278 359:1
1146 327:4	1182 337:6	1209 342:12 407:20	1245 351:7	1279 359:6
1147 327:12	1183 337:10	1210 342:24	1246 351:12	1280 359:13
1148 327:19	1184 337:16	1211 343:3	1247 351:15	1281 359:24
1149 327:25	1185 337:21	1212 343:7	1248 351:18	1282 360:3
1150 328:5	1186 337:25	1213 343:11	1249 352:2	1283 360:6
1151 328:14	1187 338:3	1214 343:16	125 565:14	1284 360:10
1152 328:22	1188 338:7	1215 343:25	1250 352:7	1285 360:15
1153 329:5	1189 338:12	1216 344:6	1251 352:11	1286 360:24
1154 329:13	1190 338:17	1217 344:8	1252 352:20	1287 361:3
1155 329:23	1191 339:3	1218 344:10	1253 352:25	1288 361:10
1156 330:1	1192 339:8	1219 344:13	1254 353:3	1289 361:14
1157 330:6	1193 339:12	1220 344:16	1255 353:13	1290 361:16
1158 330:11	1194 339:15	1221 344:21	1256 353:19	1291 361:19
1159 330:14	1195 339:18	1222 344:25	1257 354:6	1292 362:6
1160 330:25	1196 339:22	1223 345:2	1258 354:8	1293 362:11
1161 331:3	1197 340:2	1224 345:5	1259 354:14	1294 362:16
1162 331:6	1198 340:6	1225 345:10	126 569:14	1295 363:3
1163 331:9	1199 340:9	1226 345:17	1260 354:18	1296 363:9
1164 331:17	11:03 313:4	1227 345:19	1261 354:24	1297 363:13
1165 331:21	11:06 313:5	1228 345:24	1262 355:2	1298 363:17
1166 332:1	11:18 370:24	1229 346:3	1263 355:7	1299 363:20
1167 332:8	11th 276:25	1230 346:10	1264 355:11	12:35 375:15
1168 332:13	12 275:17 276:8	1231 346:15	1265 356:1	12:40 374:13
1169 332:20	316:25 338:18	1232 346:24	1266 356:4	12th 275:12 276:9,
1170 333:25	373:13 443:15	1233 347:4	1267 356:12	23 322:9 443:16,20
1171 334:5	444:1,13 447:15	1234 347:24	1268 357:1	598:6,23
1172 334:11	449:15 453:22	1235 348:12	1269 357:7	13 309:13 338:19
1173 334:20	495:12 571:7,11	1236 348:16	1270 357:12	398:21 402:2 403:6
1174 335:3	12-month 411:13	1237 349:1	1271 357:15	415:13 426:18
1175 335:9	1200 340:13	1238 349:6	1272 357:22	467:15 518:9 519:3,
1176 335:16	1201 340:15	1239 349:14	1273 358:6	9 525:19
	1202 340:17			13,000 460:24
	1203 341:1			462:18 479:12
				1300 364:2

1301 364:6	1337 372:16	1373 383:7	1405 389:8	1441 399:7
1302 364:10	1338 373:1	1374 383:9	1406 389:13	1442 399:12
1303 364:12	1339 373:7	1375 383:14	1407 389:15	1443 399:17
1304 364:20	1340 373:12	1376 383:19	1408 389:19	1444 400:12
1305 364:24	1341 373:24	1377 384:5	1409 389:24	1445 400:21
1306 365:7	1342 374:1	1378 384:8	1410 390:5	1446 401:1
1307 365:14	1343 374:7	1379 384:12	1411 390:13	1447 401:8
1308 365:16	1344 374:16	1380 384:14	1412 390:18	1448 401:15
1309 365:21	1345 375:2	1381 384:16	1413 391:7	1449 402:1
1310 366:3	1346 375:7	1382 384:22	1414 391:14	1450 402:5
1311 366:7	1347 375:11	1383 385:1	1415 391:18	1451 402:12
1312 366:14	1348 375:14	1384 385:4	1416 391:20	1452 402:18
1313 366:18	1349 375:23	1385 385:7	1417 392:4	1453 402:25
1314 366:22	1350 376:7	1386 385:11	1418 392:11	1454 403:3
1315 367:4	1351 376:12	1387 385:23	1419 392:15	1455 403:5
1316 367:13	1352 376:25	1388 386:2	1420 392:20	1456 403:16
1317 367:23	1353 377:10	1389 386:14	1421 393:5	1457 404:1
1318 368:3	1354 378:1	1390 386:18	1422 393:11	1458 404:5
1319 368:13	1355 378:5	1391 386:21	1423 394:9	1459 404:8
1320 368:23	1356 378:16	1392 387:1	1424 394:18	1460 404:10
1321 369:7	1357 378:18	1393 387:4	1425 395:5	1461 404:13
1322 369:9	1358 378:20	1394 387:8	1426 395:19	1462 404:16
1323 369:12	1359 379:1	1395 387:14	1427 395:24	1463 404:23
1324 369:19	1360 379:8	1396 387:18	1428 396:3	1464 405:10
1325 369:24	1361 379:13	1397 387:20	1429 396:8	1465 405:25
1326 370:2	1362 379:20	1398 387:22	1430 396:13	1466 406:3
1327 370:8	1363 380:15	1399 387:24	1431 396:19	1467 406:9
1328 370:11	1364 380:24	13th 372:22 416:8	1432 396:23	1468 406:13
1329 370:14	1365 381:6	14 309:23 374:16	1433 397:3	1469 406:19
1330 370:23	1366 381:16	403:7 441:9,10	1434 397:10	1470 406:24
1331 371:5	1367 381:24	450:5 467:17 495:11	1435 397:17	1471 407:8
1332 371:11	1368 382:7	518:9 519:3,9	1436 397:24	1472 407:14
1333 371:15	1369 382:11	571:12 584:15,17	1437 398:3	1473 407:18
1334 371:18	1370 382:21	1400 388:2	1438 398:12	1474 407:22
1335 371:24	1371 382:24	1401 388:7	1439 398:17	1475 408:10
1336 372:8	1372 383:4	1402 388:9	1440 398:24	1476 408:25
		1403 388:13		
		1404 389:3		

1477 409:4	1508 419:4	1544 426:4	1580 435:3	1614 443:17
1478 409:15	1509 419:8	1545 426:8	1581 435:16	1615 443:19
1479 409:20	1510 419:12	1546 426:11	1582 435:22	1616 443:25
1480 409:25	1511 419:17	1547 426:18	1583 436:6	1617 444:5
1481 410:6	1512 419:22	1548 426:23	1584 436:17	1618 444:10
1482 410:14	1513 420:1	1549 427:3	1585 436:24	1619 444:18
1483 410:19	1514 420:4	1550 427:10	1586 437:5	1620 444:23
1484 411:5	1515 420:7	1551 427:15	1587 437:10	1621 447:20
1485 411:11	1516 420:11	1552 427:18	1588 437:17	1622 447:25
1486 411:17	1517 420:14	1553 427:22	1589 437:22	1623 448:6
1487 412:1	1518 420:17	1554 428:6	1590 438:11	1624 448:10
1488 412:5	1519 420:20	1555 428:9	1591 438:25	1625 448:16
1489 412:9	1520 420:23	1556 428:17	1592 439:6	1626 448:21
1490 412:13	1521 421:2	1557 428:22	1593 439:18	1627 449:1
1491 412:18	1522 421:11	1558 428:25	1594 439:22	1628 449:10
1492 412:21	1523 421:20	1559 429:4	1595 440:6	1629 449:16
1493 415:10	1524 421:23	1560 429:9	1596 440:8	163 316:22
1494 415:19	1525 422:3	1561 429:25	1597 440:13	1630 449:25
1495 416:5	1526 422:15	1562 430:3	1598 440:17	1631 450:4
1496 416:12	1527 422:20	1563 431:9	1599 440:25	1632 450:8
1497 416:23	1528 422:25	1564 431:12	16 328:5 469:21 470:9 471:17	1633 450:10
1498 417:2	1529 423:8	1565 431:17	16,000 479:12	1634 451:1
1499 417:5	1530 423:13	1566 431:21	1600 441:3	1635 451:7
14th 444:1	1531 423:18	1567 431:25	1601 441:7	1636 451:13
15 381:1 467:17,18 471:18 495:13 503:11,13 561:2 584:15	1532 423:22	1568 432:17	1602 441:15	1637 452:5
150 480:18 492:13 499:24	1533 423:24	1569 432:22	1603 441:20	1638 452:9
1500 417:9	1534 424:3	1570 433:10	1604 442:2	1639 452:14
1501 417:16	1535 424:9	1571 433:13	1605 442:6	1640 452:18
1502 417:22	1536 424:13	1572 433:15	1606 442:10	1641 452:22
1503 418:6	1537 424:17	1573 433:18	1607 442:14	1642 453:7
1504 418:12	1538 425:5	1574 433:20	1608 442:19	1643 453:12
1505 418:18	1539 425:8	1575 433:22	1609 442:21	1644 453:20
1506 418:21	1540 425:11	1576 433:25	1610 443:1	1645 454:8
1507 418:24	1541 425:14	1577 434:2	1611 443:3	1646 454:13
	1542 425:17	1578 434:13	1612 443:12	1647 454:16
	1543 425:25	1579 434:18	1613 443:15	1648 454:19

1649 454:23	1685 467:18	1718 475:17	1754 485:18	1790 495:22
1650 455:3	1686 467:24	1719 475:24	1755 485:23	1791 496:2
1651 455:8	1687 468:11	1720 476:2	1756 486:3	1792 496:6
1652 455:16	1688 468:15	1721 476:5	1757 486:6	1793 496:10
1653 455:18	1689 468:21	1722 476:10	1758 486:8	1794 496:24
1654 455:23	1690 469:1	1723 476:16	1759 486:15	1795 497:5
1655 456:2	1691 469:5	1724 476:19	1760 486:19	1796 497:9
1656 457:5	1692 469:9	1725 476:23	1761 487:12	1797 497:15
1657 457:8	1693 469:13	1726 477:6	1762 487:20	1798 497:23
1658 457:15	1694 469:21	1727 477:11	1763 488:11	1799 498:4
1659 457:24	1695 470:4	1728 477:17	1764 488:20	17th 388:6 433:12
1660 458:6	1696 470:9	1729 478:4	1765 488:24	18 296:7,11 495:17 556:20
1661 458:13	1697 470:16	1730 478:7	1766 489:3	1800 498:9
1662 458:24	1698 471:1	1731 478:10	1767 489:8	1801 498:18
1663 459:2	1699 471:6	1732 478:17	1768 489:14	1802 498:23
1664 459:12	17 273:23,25 274:1 309:15 346:10,11 353:19 431:23 495:17 539:22 553:12	1733 479:2	1769 490:1	1803 499:10
1665 459:16		1734 479:6	1770 490:7	1804 500:2
1666 459:21		1735 480:1	1771 490:18	1805 501:2
1667 460:4		1736 480:3	1772 490:25	1806 501:6
1668 460:6	1700 471:10	1737 480:6	1773 491:11	1807 501:8
1669 460:12	1701 471:16	1738 480:16	1774 491:21	1808 501:11
1670 460:17	1702 471:22	1739 481:8	1775 492:2	1809 501:14
1671 460:22	1703 472:11	1740 481:13	1776 492:9	1810 502:3
1672 461:2	1704 472:17	1741 481:21	1777 492:16	1811 502:9
1673 461:8	1705 472:22	1742 481:25	1778 492:24	1812 502:15
1674 461:15	1706 473:2	1743 482:5	1779 493:8	1813 502:24
1675 461:19	1707 473:10	1744 482:14	1780 493:10	1814 503:4
1676 461:23	1708 473:17	1745 482:18	1781 493:14	1815 503:9
1677 462:10	1709 473:22	1746 482:25	1782 493:24	1816 503:15
1678 466:2	1710 473:25	1747 483:8	1783 494:1	1817 503:20
1679 466:9	1711 474:4	1748 483:16	1784 494:6	1818 504:1
1680 466:18	1712 474:7	1749 483:22	1785 494:10	1819 504:6
1681 466:21	1713 474:12	1750 484:3	1786 495:5	1820 504:17
1682 467:3	1714 474:18	1751 484:13	1787 495:9	1821 506:14
1683 467:6	1715 474:24	1752 484:19	1788 495:14	1822 506:23
1684 467:15	1716 475:6	1753 485:14	1789 495:18	1823 507:1
	1717 475:11			

1824 507:7	1860 518:13	1896 527:15	1929 540:20	1965 556:13
1825 507:11	1861 518:16	1897 528:2	1930 541:23	1966 556:16
1826 507:15	1862 518:18	1898 528:6	1931 542:14	1967 556:18
1827 507:19	1863 518:21	1899 528:15	1932 542:19	1968 557:1
1828 507:24	1864 519:1	18th 433:17	1933 543:24	1969 557:4
1829 508:3	1865 519:8	19 296:16,17 298:22 311:19 337:4 338:1 342:5 358:14 433:25	1934 544:3	1970 557:9
1830 508:19	1866 519:12	1900 528:21	1935 544:9	1971 557:15
1831 508:23	1867 519:20	1901 528:24	1936 544:17	1972 557:22
1832 509:7	1868 519:25	1902 529:3	1937 546:8	1973 558:4
1833 509:18	1869 520:8	1903 529:6	1938 546:14	1974 558:12
1834 510:6	1870 520:10	1904 529:13	1939 547:4	1975 558:22
1835 510:12	1871 520:17	1905 529:23	1940 547:21	1976 559:1
1836 510:21	1872 521:7	1906 530:8	1941 547:25	1977 559:5
1837 511:5	1873 521:9	1907 530:12	1942 548:17	1978 559:7
1838 511:9	1874 522:4	1908 530:16	1943 548:23	1979 559:11
1839 512:5	1875 522:6	1909 530:19	1944 549:3	1980 559:16
1840 512:12	1876 522:8	1910 531:3	1945 549:7	1981 559:21
1841 513:1	1877 522:12	1911 531:9	1946 549:13	1982 560:2
1842 513:10	1878 522:16	1912 531:14	1947 549:17	1983 560:5
1843 513:16	1879 522:19	1913 532:5	1948 549:23	1984 560:9
1844 514:16	1880 523:17	1914 532:16	1949 550:2	1985 560:14
1845 514:20	1881 524:8	1915 533:2	1950 550:6	1986 560:18
1846 514:25	1882 524:11	1916 533:6	1951 550:13	1987 560:23
1847 515:3	1883 524:15	1917 533:22	1952 550:19	1988 561:2
1848 515:6	1884 524:18	1918 534:3	1953 551:11	1989 561:7
1849 515:12	1885 525:11	1919 534:7	1954 551:21	1990 284:7 561:13
1850 515:16	1886 525:16	1920 534:18	1955 551:25	1991 561:19
1851 515:20	1887 525:24	1921 538:19	1956 552:5	1992 562:1
1852 515:24	1888 526:3	1922 539:2	1957 552:22	1993 562:5
1853 516:5	1889 526:7	1923 539:7	1958 553:2	1994 562:10
1854 516:9	1890 526:12	1924 539:11	1959 553:12	1995 562:14
1855 516:22	1891 526:16	1925 539:18	1960 553:19	1996 307:7 362:13 562:22
1856 517:13	1892 526:24	1926 539:22	1961 555:14	1997 563:12
1857 517:19	1893 527:3	1927 540:4	1962 555:18	1998 284:6,18 286:13 292:16,18 293:10,13 296:6,13 297:18,22 552:11 563:18
1858 517:23	1894 527:6	1928 540:9	1963 556:1	
1859 518:7	1895 527:9		1964 556:10	

1999 524:22 563:23	566:4 567:21 580:25	439:1 474:20 510:23	2042 576:15	2078 587:12
19th 337:1 355:4 433:13,14	2011 270:25 271:9 272:3 274:6,20 275:17 276:9 283:21 301:13 305:1 307:16,24 312:2,20 315:14 316:18,25 321:14,21,24 326:12,17 328:16 331:19 334:22 390:14 424:7 426:23 481:14 482:6 491:8 567:6,13 568:10 580:25	511:9 515:8 517:14, 19 518:18 519:16 520:3,5 522:10 569:1	2043 576:21	2079 587:18
1:12 374:14		2015 325:3 350:24 569:11	2044 577:3	2080 588:2
1A 341:11 342:8		2015-16 341:25 365:12	2045 577:6	2081 588:6
1B 341:2,4,15,19 554:2		2016 309:15 325:3 569:21	2046 577:12	2082 588:12
1D 340:18		2017 535:11,22 570:1	2047 578:2	2083 588:16
1st 360:22 566:4		2017-18 362:4	2048 578:6	2084 589:9
2	2011-12 362:2	2018 503:5 570:8	2049 578:14	2085 589:12
2 298:23,25 303:25 365:2 366:19 368:20 372:17 381:8,18 391:11 395:6 478:13 521:14 540:9 569:14	2012 276:4,9 309:12 311:3 313:8 316:18 324:2 326:17 327:20 328:16 331:6 334:22 337:2,5 338:1 355:13 359:25 360:13 361:21 387:25 388:6 389:13 390:14 406:25 413:2 418:8 426:21 427:5 439:25 441:10 445:15 447:15 449:11 453:19,22 454:9 458:25 461:9, 20 469:23 473:15 476:22 479:3 482:1, 7 490:1,8,10 497:7 498:12 499:1 503:18 518:9 519:3,9 524:1, 5,13 525:19,22 535:16 552:4 557:5 559:20 568:15 573:6 579:25 584:10 588:8,11 597:9 599:15	2019 570:13	2050 578:19	2086 589:15
2,200 458:16		2020 570:19	2051 578:24	2087 589:24
2.0 554:9		2021 570:22	2052 579:8	2088 590:2
2.3 345:24		2022 571:3	2053 579:11	2089 590:5
20 298:15,16 400:7 462:13 516:11 527:17 536:8 549:18,24 550:16 551:7 595:7		2023 571:6	2054 579:23	2090 590:12
20- 457:9,17 458:19 460:18		2024 571:11	2055 580:8	2091 590:20
2000 564:2		2025 571:16	2056 580:13	2092 591:1
2001 564:11		2026 571:21	2057 581:2	2093 591:4
2002 564:17		2027 572:3	2058 581:6	2094 591:9
2003 565:10		2028 572:7	2059 581:13	2095 591:13
2004 565:13		2029 572:10	2060 581:21	2096 591:21
2005 566:4	2013 297:18 309:23 324:2,3 373:19 381:10,20 439:23 444:8 458:15 460:24 462:19 474:20 502:15 512:23 522:9 556:4,24 568:19 581:23 582:20 583:14	203 524:16	2061 582:1	2097 592:2
2006 564:15 566:6		2030 573:6	2062 582:4	2098 592:8
2007 296:22 297:23 298:14,18 566:11		2031 573:11	2063 582:8	2099 592:11
2008 326:6 566:25		2032 573:17	2064 582:14	21 322:6,7 330:8 492:25 493:2
2008-09 558:16		2033 574:1	2065 582:18	2100 592:15
2009 271:2 424:5 564:4,6 567:11 580:24		2034 574:7	2066 582:24	2101 592:20
2010 270:25 424:5, 7 481:14 562:24	2013-14 283:10 473:6	2035 574:12	2067 583:5	2102 592:24
	2014 270:25 304:19,20,23 437:23	2036 574:16	2068 583:12	2103 593:3
		2037 574:25	2069 584:4	2104 593:6
		2038 575:8	2070 584:12	2105 593:10
		2039 575:16	2071 584:14	2106 593:14
		2040 575:24	2072 585:2	2107 594:5
		2041 576:6	2073 585:12	2108 594:11
			2074 585:20	2109 595:6
			2075 586:5	2110 595:11
			2076 586:13	2111 595:19
			2077 587:8	2112 596:2

2113 596:9	250 479:20	300 474:1,3,4 480:21 499:12,20	45 508:20,22 531:14 550:14	70 367:1
2114 596:12	25th 347:25	30th 363:25	46 508:23	752 501:11
2115 596:22	26 356:1,2,5 357:24 359:14 362:24,25 427:5 498:9 597:9, 20	31 296:22 298:14,18 361:1 430:14,19 453:24 458:14 479:14 510:22	47 509:7 511:5	76 271:10 272:3,5,9, 20 317:10,11 430:8 491:1,23 547:22,23 548:10,24
2116 597:7	26-27 418:8	315 316:21	48 511:4	7th 503:19 576:13 582:22
2117 597:11	269 571:13	31st 556:24	48.4 559:6	
2118 597:19	27 357:13 360:16 364:22 558:24 559:4,21	32 438:21,23	4:30 508:10,11	
2119 597:25	27,000 479:17	33 443:9,10	4:44 523:14	
2120 598:8	273 383:21 384:6	34 492:5,7	4:52 523:15	
2121 598:15	274 383:19	345 362:3		
2122 599:1	276 385:2	35 492:19,21 514:25 515:7	<hr/> 5 <hr/>	
2123 599:9	277 530:18	350 533:19	5 311:8 327:22 522:18 523:21	8 275:17 276:11 343:10,12,17,19 395:7 396:1,4 397:21,23 415:11 433:18,19 457:11 503:18 529:24 530:8 550:15 564:6
2124 599:14	279 385:11	36 498:6,7	5,000 510:8	80 475:19 556:16,17
2125 599:18	28 321:24,25 322:13 335:4 342:4 347:25 351:9 368:1 499:5	366 314:16	5,700 442:7	80.6 512:23 514:1,5
2126 599:25	28th 382:8	37 502:10,12	5,800 441:17 442:1	80005 361:20
2127 600:5	29 284:18 296:6,13 407:11,12,15	38 523:11,12 560:14	50 317:1 393:1 459:12,13 471:25 472:12,14,19 494:16 501:24 557:12	81 293:11
2128 600:13	295 534:14,15	39 530:4,5 552:2 558:23 591:18	5,000 510:8	84-page 412:24
2129 600:19	2nd 363:5 364:5 380:20 395:11 433:22,24 476:21 587:20	3:19 469:18	5,700 442:7	845 316:25
2130 600:25	<hr/> 3 <hr/>	3:20 469:14	5,800 441:17 442:1	85 293:22,23
2131 601:5		3:31 469:19	50 317:1 393:1 459:12,13 471:25 472:12,14,19 494:16 501:24 557:12	86 287:23
2132 601:12		3rd 368:24 372:17 395:6 469:10 476:12 477:12 478:18 587:20	500 479:19	873 270:8 271:16,23 540:1
2133 601:15		<hr/> 4 <hr/>	503 510:25 511:16	874 271:23
2134 601:22		4 353:20 374:21 376:7 379:21 380:16 383:5,6 479:14 496:3,6 500:6 521:21 556:13,17	507 512:8 544:3	875 270:8 271:23
2135 602:7		40 472:12 502:1	5:30 374:20	882 283:12
2136 602:14		400-page 491:4	<hr/> 6 <hr/>	885 306:4
2137 602:20		404 382:15,17,25 383:1	6 562:14 564:4	8th 381:25 396:6 399:16 402:9,21 427:19 503:19 576:14 582:22 587:22
2138 602:25		41 564:23	6,700 442:7	<hr/> 9 <hr/>
214400 347:19			60 472:23 473:5 509:20 511:16	9 417:12
22 327:14,16 501:24			65 512:17	947 270:5
227 562:17			686 567:19	948 270:9
23 347:18,21			6:35 603:6	
23,000 479:16			<hr/> 7 <hr/>	
2316 327:15			7 360:17 530:16 532:3	
24 355:24 358:17 520:3,5			7,500 460:24 462:18	
25 350:21,25 351:8 354:9 355:13 359:1, 21 488:15,16,18,25 500:3 502:11 540:12				

949 270:11	984 279:20	292:14,15,20 293:10	ad's 422:4	advise 464:2
950 270:14	985 279:24	296:6,12,21 297:22	add 479:18 496:4	advisement
951 270:18	986 280:5	298:5,14,17 301:17	addendum 393:1	295:24 297:14,25
952 271:6	987 280:11	329:8 455:20	524:2,13 557:12	298:8 319:8 321:3,
953 271:8	988 280:16	482:10,14,21 483:2	558:23,24	11 496:19
954 271:14	989 280:20	496:7,11 554:7	additional 345:21	advisements
955 271:16	990 280:24	571:24	375:18 383:22	543:11
956 272:2	991 281:4	accounted 302:3,	440:15 455:22 462:9	advises 367:7
957 272:7	992 281:15	6,10 303:2 527:16,	516:11 539:14	advisory 467:1
958 272:15	993 281:22	20	540:23 541:12	580:5
959 272:17	994 282:4	accounting	587:17 589:1,19,22	affairs 318:23
960 274:3	995 282:11	294:25 301:21	590:10	431:16 438:6 460:1
961 274:8	996 282:22	302:2,17 495:25	address 295:25	470:23 471:9 502:8
962 274:18	997 283:1	Accounts 520:21	300:24 348:19	589:5
963 275:2	998 283:6	accuracy 386:19	349:3,9,16 554:1,5,	affected 332:5
964 275:5	999 283:8	accurate 389:15	20	401:21 405:13 406:6
965 275:10	9th 399:17	403:18 421:16	addressed 401:22	440:5 512:14 545:16
966 275:22		422:13	515:14,20	602:10,24
967 276:1	A	achieve 280:15	addressees	afford 558:6 561:17
968 276:7		achieves 309:14	348:24	afforded 558:5
969 276:16	a.m. 270:1 313:4,5	acknowledge	adjust 558:21	aftermath 558:15
970 276:20	abbreviation	492:1	adjustments	afternoon 432:2
971 277:1	408:23	acronym 516:8	453:17 579:24	456:12 523:17
972 277:8	ability 390:3 572:17	act 284:2,7 288:15	580:20	agencies 271:1
973 277:13	aboutface 493:18	289:8 298:6 312:7	administered	392:12 450:17 495:1
974 277:17	abruptly 326:7,14,	524:22	318:7	557:18 570:25
975 277:24	19	action 296:25	ADMO 322:18	584:19 585:6 586:25
976 278:10	absolutely 270:23	315:1,3 341:23	adopted 478:25	agency 449:12
977 278:14	557:17	342:1,6 474:17	ads 418:7,9,11,16,	495:5 521:14 599:5
978 278:17	absurd 598:22	530:6 588:5	20 419:1,3,4,9,13,	agenda 275:18
979 278:20	accept 286:9	action-oriented	20,24,25 420:1,3,6,	276:3,18
98 552:1,3,6	511:22 550:9	314:18	7,9,10,11,13,16	agendas 275:24
980 279:2	accepted 471:11	actively 328:20	421:6,12 422:2,8	291:24
981 279:6	access 455:12	activities 302:9	423:12,24 424:18	agent 303:2
982 279:9	accord 361:3 378:9	388:20 392:6 473:4,	425:6,7,8,10,13,15,	aggressive 377:3
983 279:11	502:22	8 509:19	18,25 426:6,12	agree 285:25 286:5
	account 569:5,6	activity 334:10	427:11 428:7,8,11,	288:14,18 289:6
	accountability	353:5 551:17 596:24	13 429:9,19 430:13	302:25 303:11 304:7
	283:23 284:1,15	actual 300:20	advance 275:24	335:23 378:11
	288:16 289:9 290:15	312:10 453:14	292:4 358:4,8 401:6,	386:14 389:19 390:7
		505:18 509:25	7 435:23 597:20	405:14 406:13 422:3
		510:15 530:12	598:10	425:5,11 429:4
		532:22	advantage 480:11	453:7 468:21 478:17
		ad 418:13 421:19,22	advice 445:8 446:1,	484:19 489:8 491:21
		422:2,7 423:11,14	2,4,17,19 454:22,25	495:18,20 505:13
		427:6,13,14 428:20	455:6 462:4,15	527:22 544:9,17
		430:1,5 537:10	470:21 474:16	573:4 596:2,5 599:1,
			589:1,5	

18 601:1,5,24	America 558:19	announcing 599:4	298:23 299:9 304:10 305:2 323:4,6 325:17 329:20 330:8,15 335:4,10, 17,21,25 336:3,4,6 350:25 355:3 358:1, 9,18,20 359:4,10,12, 15 360:11 365:10 372:19 382:5,7 391:13 554:25	547:16
agreed 307:18 393:6,8 395:20 436:11,13 437:1	amount 280:3 462:4 467:25 473:9 483:13 496:4,8,9 499:9,23 532:22,24, 25 533:2,6,18 539:15 540:23 541:12 546:16 550:9,15,19 551:6, 12 559:25 561:10 595:10 596:10,16,20	annual 325:4 331:7 335:5 341:24 354:21 358:23 359:16 365:11 366:23 376:9 442:6	305:2 323:4,6 325:17 329:20 330:8,15 335:4,10, 17,21,25 336:3,4,6 350:25 355:3 358:1, 9,18,20 359:4,10,12, 15 360:11 365:10 372:19 382:5,7 391:13 554:25	arrangements 286:25 304:23 393:15 588:20
agreement 285:2, 23 286:3,8,10,15,18, 19 288:14,22 289:4, 7,12,16,17,21 290:1 297:3,8 311:15 503:22 506:22,24 507:2 513:14,15,21 535:25 536:1 539:7, 8 542:25 549:12,24 593:16 595:23	amounts 513:22	annually 345:21 441:17	approaches 467:19	array 557:7
agreements 284:24 285:18 290:10 297:7 298:2 304:20 324:19 475:7 513:5 539:3,13 542:1,2,16 543:7,16 544:7,10,13,22 545:1 546:3 549:9 550:25 554:2,12 556:20	Ampleford 368:7	answering 426:14 541:16	approaching 508:10	article 449:23 571:13,14
agricultural 422:22 428:2 440:18 489:20 530:25 531:12,25	amplification 274:4	answers 301:25 458:10 465:13 474:12	approval 272:22 310:24 346:16 388:18 389:5 390:6 506:9 575:23	articulated 556:2
agriculture 316:22 318:22 431:15 432:3 438:5 440:3 460:1 470:22 471:9 502:7 509:23 510:14 515:8,10,15 589:4	analysis 329:6 332:15 334:23,24 356:15 358:15 398:7 432:5,25 433:6,8 440:21 442:13 444:2 448:4,8 449:6 458:4 506:12 509:24 510:15,20 511:25 512:6,7	anticipated 536:2	approved 322:18 396:5,7 500:16 557:3 597:16	aspect 316:1 341:16 397:3 398:1, 2 520:9 534:1
Agriculture's 517:14	analyze 453:8	appeared 575:9	approximate 346:1 458:16 472:12	aspects 280:9 585:4 602:23
ahead 376:15 445:11 538:13	anchor 523:24	appears 307:24 323:3 327:25 333:19 348:3 363:24 373:14 374:22 378:4,9,21 380:16 388:9 399:12 409:19 427:10 480:14 487:21 489:3 501:20 540:24 541:13 562:22 567:21	April 373:19 520:3, 5 522:9 587:13	asserting 543:18
Aid 559:8,11	Andrea 480:12	Appending 416:18	area 285:6 315:9 350:7 376:2 403:2,6 529:18	assess 437:3
Ajax 516:14	announce 400:9, 19 408:1,14 480:18 598:13	appetite 494:14	areas 313:17 389:11 402:11 405:8 527:7 558:2 559:14 561:18	assessing 305:17, 20
allowing 367:9,14	announced 392:18 393:8 394:11,16 414:13 443:13 444:6 445:1 447:15 474:9,10 558:8 598:22	applications 564:13	argued 439:10 517:6,25 519:4	assessment 305:22 351:23 371:10 377:5 393:21,24 403:4,5 449:9 452:1 528:1 570:7 600:4
allude 400:8	announcement 395:2 400:7 403:21, 23 407:5 409:5,17 444:14 445:3,14,22 453:22 471:24 501:20 510:19 580:24 587:7 588:7, 10,13 598:6,9	applied 317:24	argument 415:8 422:11,12 425:22 539:17	assigned 589:6
amateur 525:4	announcements 400:18	apply 532:23	arm 447:13	assist 323:21 330:17 556:11
ambitious 503:11 521:11	announces 323:19 330:16 449:12	applying 387:24	arm's-length 446:17	assistance 494:15,17
amended 380:21		appoint 466:18,21	arose 513:1	assistant 271:2 322:20,22 364:11,12
amenities 551:14		appointed 452:14 466:6 470:17 518:10	around-the-clock 560:20	assisting 374:2
		appointing 309:11 451:24	arrangement 274:13 288:17 314:8,21,23 320:14 331:23 476:6 490:6, 10,11,14,21 505:22	assists 508:12
		appointment 454:13 518:23		associate 271:1 309:8 529:14
		approach 274:21 277:2,4,14,24 278:1 281:24 296:10		assume 411:3 536:7,13
				assumed 434:20 503:22
				assumption 600:18
				assumptions 452:24
				assured 446:11 463:1

attached 306:1 384:8	546:10,12	511:9 517:13,19 518:18 519:2,13,18 528:21 548:3 591:21	Barry 322:15 374:18 407:20,22 418:14 431:23 520:1	belt 572:22
attaching 399:9	August 293:5 296:22 298:14,18 469:10 476:11,21 477:12 478:12,13,18 482:7 493:2 499:1 562:24 589:13	awareness 511:11	base 453:16 551:5, 7,8 554:23 555:9 563:8	Ben 316:3
attachment 487:15,20 492:20 523:10			based 280:14 335:1 337:13 339:23 377:5 389:21 398:16 412:3,7,11,16,18 415:8 442:13,14 446:1 447:18 448:8 449:2,4 451:11 452:7,9 453:11,15 556:8 570:12 576:12 580:16 581:11,18 582:6,11,22 583:2,8, 10 595:17,20 599:23 600:15	beneath 357:8
attachments 296:15,18	auspices 317:20	<hr/> B <hr/>	back 270:22 273:19 278:5 288:23 295:23 296:9 311:2,7 318:21 321:11 343:17 348:15 370:13 383:20 442:18,19 443:3,5 445:12 450:15 451:2 462:3 476:16 499:11 512:1 515:2 530:2 540:20 546:24 558:9,10 561:2 572:19,20 579:20	benefit 484:1 489:19 533:9 536:12 537:1 539:14 559:22
attaining 533:9	austerity 573:7		backing 270:22 273:19 278:5 288:23 295:23 296:9 311:2,7 318:21 321:11 343:17 348:15 370:13 383:20 442:18,19 443:3,5 445:12 450:15 451:2 462:3 476:16 499:11 512:1 515:2 530:2 540:20 546:24 558:9,10 561:2 572:19,20 579:20	benefits 301:23 313:22 422:22 481:19,23 537:23 569:8
attend 460:9,10	author 516:22		background 384:3 477:3	benefitting 302:15
attendance 344:19 427:21	authored 423:10		bad 300:25 481:9 482:1,7 581:15 582:10,20	betted 595:10
attended 469:25	authority 309:3 592:9		balance 353:7 388:24 555:21 572:7 600:11	betting 480:24 484:8 551:7,18 573:14 595:2,7 596:11 597:5
attendee 340:11	authorization 308:23		balancing 280:7 281:8 350:2 405:21	big 327:7 572:21 580:3
attention 508:17 520:4 602:19	authorized 421:6		ball 437:11	bigger 474:8 507:10
attest 342:22 347:15 411:15 427:17 491:9,18	authors 420:13		Barbara 322:15	billion 280:22 300:8,18 301:15 302:18 345:20,24 467:15,17,18 495:10,13 496:3,6 525:19 584:17,18
Attorney 519:15	automatically 314:25		Bardeesy 336:16 344:17,18 360:1,3 363:11 364:25 365:2,17,21 366:9 367:4 368:5 374:17 377:17,19 379:21 380:19 381:1 421:3 493:14 494:10 498:10,11 515:7	bit 295:1 423:20 434:4 439:23 476:14 501:9 520:14 581:13 584:23
attract 563:7	avenue 447:12		Bardeesy's 327:23 373:13 375:8,14 492:25 500:3 502:11	black 508:21
attractiveness 597:5	average 501:23		bargained 494:23	black-out 411:3
attributable 546:17 547:8	avoid 459:5 480:8		barn 444:5	Blair 435:5 445:2
attribute 531:13	aware 289:18 297:3 304:18 313:25 314:9 326:11,16 331:21 333:8 352:10 359:7 363:7 368:24 370:3 371:8 381:24 385:20 394:19 406:24 410:14,25 413:6,8 414:4,6,10 415:15 416:9,12 419:2,4,8, 10,13 423:18 426:1, 13 428:7 431:12 436:17 437:5 438:9, 25 439:4,6,16,18,23 440:6,8 444:10,15 447:14,20 454:8 459:2,8,16,21 460:12,17,22 461:3, 8 465:18 468:11,12, 24 469:5,9,12 472:11,20,21,22 473:9,17,25 474:18 475:6,9,11,16 478:7, 23 494:1 497:5,18 499:6,18 500:20 502:3,5,15,24 503:9 504:1,9 506:14		basic 498:24	board 275:9 283:22,25 284:2,6, 17 288:15,16 289:7, 8,13 290:14 291:15, 20,21,23 292:6,14 294:25 298:6 300:4 301:16 310:23,24 328:21 350:1,5 405:7 415:15 416:1, 6,10 447:8,9 516:3,4 549:15 557:10 565:18
attributes 429:8			basically 391:25 399:5	bold 462:14
atypical 314:15			basis 278:24 337:13 353:22 354:12 390:11 546:11,12 570:10 596:18	
auction 498:19			bearing 301:6 319:25 485:6,8	
auctions 472:13			beating 429:13	
audit 522:4,8			began 589:20	
audited 302:7 303:8			begin 270:6 308:7	
Auditor 438:25 439:8,13,19 456:7, 14,23 472:22 473:2 495:18,20,22 502:16,20 503:4,9, 20 506:16 508:3,6,9, 14,20 509:11 510:12 512:1 514:16,21 516:23 517:9 518:3 520:7,23 521:9 522:24 543:25 544:3			beginning 309:23 324:2 341:24 348:2 360:24 423:25	
			begins 283:11 374:18 399:8 431:22 438:18	
			behalf 463:23 584:5	
			behave 600:7	
			behaviour 498:25	
			belief 420:21 537:17	
			believed 398:10	
			bell 540:8	

book 538:6	381:22 382:14,22 520:2 562:15 564:20	budget-specific 400:17	339:11,14 340:5 344:1,20 345:7 346:11,12,16,19,25 347:3,14,25 348:21 349:7 351:8 358:2 361:6,9 363:15 365:20,24 366:10, 17,19 367:5,9,14,16, 21 368:25 369:3,4, 13 370:6 371:1,2,9 372:1,23 373:7,8,10, 15 374:3,23 375:1,9 376:21 377:6,11 378:22 379:9,11,22 380:8,13 381:23,25 382:5,8,11,12,14,15, 22 383:4,10,13 384:17,23 387:9,11, 17 388:18 389:5 390:6,11 391:3 392:1 394:10 395:6 397:22 403:22 404:17,24 407:4 415:12 425:14,18 426:21,22,24 427:1, 10,18 428:23,25 429:2,7 433:11 436:22 437:4 442:18,19,21,23 443:4 449:17 458:1, 6,9,11 465:20 466:5 468:16,18,22 469:2, 3 471:14,16 473:23 488:10 503:17 504:9 516:1,19 518:8,10, 25 528:16 549:10,15 553:3,13,15,17 555:15,19 556:2,5,7, 11,15 557:1,3 573:19,24 574:9,23 575:1,21,25 576:4,7, 8,10,11,13,14,23 577:2,3,5,6 578:1 581:20 582:3,12,22 583:8,16,17,19 586:14 587:21,24 588:4 597:16	call 403:14,16 432:1 444:12 called 272:3 327:20 443:20 445:2,20 447:16 526:8 calls 435:10 campaign 405:12 Canada 586:5 cancel 415:12 428:22 435:25 436:3,7 439:2,11 453:3 477:2 481:5 502:18 517:7 518:1 519:4 573:18 577:13 578:6 583:6 cancellation 400:9 409:6,18 451:18 471:24 475:15 476:6 508:4 509:3 510:1,16,23 517:15 522:23 536:3 544:6 588:9 cancelled 444:7 498:19 578:19 cancelling 484:14 523:3 576:16 577:7 578:25 579:12 581:7 582:9 canvassed 553:2 capacities 515:21 capital 345:24 346:9 475:25 513:2, 8,11 capitulation 493:19 capture 364:18 captured 576:2 capturing 491:19 care 433:2 440:22 442:11 465:3,6 468:19 526:21 527:7 560:15 601:25 602:4 careless 583:7,15 Carleton 516:15 carried 594:22
booked 275:18		budgetary 401:4		
books 382:14	briefings 321:15, 19 360:1,7	budgeting 580:14		
borrowing 585:8	bring 347:2 504:12 589:21	budgets 481:16 573:9 580:21		
boss 309:5	bringing 355:6 569:22 576:4	built 587:6		
bothers 541:19	brings 579:16	bullet 299:1 324:11 325:2,7 330:19 356:12,18 384:10 385:12 405:20 500:7		
bottom 271:16 303:24 326:4 356:23 385:11 391:16 488:14 493:24 512:9 525:18 556:16 559:21	broad 341:13 399:1 405:22,23 406:17	bunch 313:16 389:10 580:15		
box 356:24	broader 308:3 342:9 349:10 530:25 531:11,25 571:25 572:4,18,25	bundle 377:23		
brackets 540:14	broke 271:8	business 272:6 302:8 316:18,20,24 319:11,20 356:8,9 491:7 504:1,7,15,20, 23 505:17,18 506:8, 12 540:13,17,25 541:14,17,23 548:11,18 549:4,6 563:23 590:22 591:1,4,15,22,24 592:3,9,20,25 593:13,18 594:7,13, 21,22,23		
Brad 540:5,7	Broten 426:20 427:4,7 429:1	businesses 505:12 509:1 522:21		
branch 284:16 388:5,11	brought 415:21 508:16 589:21	bussing 561:3		
break 313:2 374:12 441:22 469:16	budget 271:3 279:15 305:12 308:4,7,8,12,18,21, 23,24 309:1,3 335:13 350:2 388:24 389:13,25 390:1,12 392:9,14,15,17 393:1,6,7,11,19 394:10,11,16 398:23 399:2,6 400:19,25 401:11 402:10,22 403:12,23 404:9,20, 25 405:2,6,13,17,21, 23 406:1,6,15,16 407:5 411:2,20,23 417:3,4,5,8 443:16, 19 448:14,24 449:1 450:14,15 453:19 459:6 466:14 494:24 496:11 524:1,6,13 525:22 529:25 552:1,4 557:5,24 559:20 572:11,16 573:6,7,8,10,16 574:4 579:4,7,25 580:7,25 581:1 584:10,16 587:3,4,7, 9,10 588:21 597:8, 21 598:10,17,19 599:3,6	buy-in 567:22 568:11,14,15 569:7		
break-out 272:11		buyers 472:4 498:20		
bred 414:19		by-elections 480:11		
breeders 273:7,8 312:4 461:4 475:9, 12 501:19 511:15 513:11 519:14,17, 21,22 562:8		bypasses 387:11, 16		
breeders' 423:18 424:1 473:4 509:19		<hr/> C <hr/>		
breeding 312:11 351:20 353:25 414:12 423:19 424:1,4,11,19 474:20 475:8 482:22,24 500:17 501:22 513:12 516:17 530:23 531:23		Cabinet 275:14,17, 21 276:4,6,11,14,18 282:16,19 284:2,7 288:15 289:8 298:6 306:2,7,8,25 308:1, 13,16,18,20 311:2,6, 10 337:9 338:14,15		
Brian 493:15		Cabinet's 444:12 503:16		
briefed 279:11,20, 24 311:25 322:10 337:7 351:22,25 352:3,5,24 358:7 361:8,11 435:23		Cabinet-ready 451:14 574:8,13		
briefing 276:21 291:25 316:5 328:1 337:3 357:24 361:5		calculations 478:14,16		

<p>carrying 527:23 528:2 592:9,25 593:17 594:6,14</p> <p>case 286:23 291:4 314:17 372:7 377:15 395:4 402:13 462:12 479:10 502:25 503:23 504:2,7,15, 20,23 505:17,18 506:9,12 508:12 535:3 546:14 555:18 588:2</p> <p>cases 401:23 587:25 588:3</p> <p>casino 485:12 503:23 504:2,5,8,21 505:9,13 506:6 507:24</p> <p>casinos 324:15 329:2 367:18 376:2 397:9,12 506:10,13 507:9 524:25 525:2</p> <p>catastrophic 446:24</p> <p>caution 562:6</p> <p>cautioning 543:13</p> <p>CCED 480:4</p> <p>centre 557:23</p> <p>cessation 333:4</p> <p>cetera 297:1 495:6 538:3</p> <p>chain 438:20</p> <p>chair 291:15,18 292:6 340:12 415:14 416:2,11 444:11,17 565:15,18 597:12</p> <p>challenge 565:19</p> <p>challenged 569:2</p> <p>challenges 399:3 563:4,15 564:18 566:12,21 567:15,22 568:11,13 584:9,12</p> <p>chance 282:13 288:9 295:11 346:22 348:9 376:21 377:17 405:17 455:14 541:7</p>	<p>change 314:9,23 324:22 403:22 413:14,15,16 566:17 577:1,3,5,6 579:20 587:19 602:12,14</p> <p>changed 427:24 575:10</p> <p>changing 329:4 373:18 383:12 403:25 449:7</p> <p>Chapter 316:8</p> <p>characteristics 290:16 591:6,8,15, 22 592:3,21</p> <p>characterization 390:8 421:16 422:4</p> <p>characterize 320:6</p> <p>characterizing 485:2</p> <p>charged 431:7 527:23 571:23</p> <p>charitable 525:7</p> <p>Charlebois 493:8</p> <p>chart 361:23,25 362:1 384:3</p> <p>charts 491:13,14</p> <p>check 331:4</p> <p>checks 386:24</p> <p>child 558:9 559:2, 10,22</p> <p>children 493:21 559:1</p> <p>Children's 559:7, 11</p> <p>choice 403:24 475:3</p> <p>choices 352:19 559:17,19</p> <p>chooses 566:7</p> <p>choosing 493:20 576:22</p> <p>chosen 527:11</p>	<p>Chris 344:24</p> <p>circulated 276:8, 21 323:11 429:22 516:24</p> <p>circumstance 326:22</p> <p>circumstances 449:7 467:13 499:21</p> <p>cite 306:16</p> <p>cited 282:3 482:17 507:9</p> <p>cities 310:5 506:10 507:21</p> <p>civil 409:2 429:10, 11 576:16,24 579:1, 14</p> <p>claim 296:1 470:2 485:6 567:9</p> <p>claimed 543:16</p> <p>Claire 528:6</p> <p>clarification 274:4 430:21 446:21 500:25</p> <p>clarified 432:8</p> <p>clarify 270:22 297:15 361:2</p> <p>clarity 500:18</p> <p>clear 270:23 271:7 333:25 339:1 367:7 377:20 425:1 472:15 473:2,13 474:24 567:4 568:4</p> <p>climate 599:15,21 600:7,14,20 601:1,6, 23</p> <p>close 408:4,17 443:22 576:11 586:17</p> <p>closer 587:4,9</p> <p>closing 385:17,21, 23</p> <p>Club 398:21</p> <p>co-panelists 486:11</p>	<p>cochair 340:12</p> <p>cochaired 344:19</p> <p>cold 435:19 438:12</p> <p>collapse 333:12,21 334:2 398:13 447:3 460:13 461:25 479:10,15 501:21</p> <p>collapsed 326:6, 13,18 334:6</p> <p>collecting 471:3</p> <p>collection 343:25</p> <p>Collectively 429:2</p> <p>column 324:9,11 330:20 358:19</p> <p>combination 385:9</p> <p>comfort 329:15</p> <p>comfortable 445:10 446:4,13,18 457:17</p> <p>commence 520:23</p> <p>commenced 519:18</p> <p>commencing 270:1 331:6 365:11</p> <p>comment 278:19 297:10 304:11 346:22 391:15 399:19 419:11,25 420:3,4,8,10 421:18, 21 422:1,2,8,13 423:6,12,16 425:2, 13 426:7 428:4,8,10, 13,15 429:19 437:13 441:14 455:13,15 468:8 486:17 504:16 529:11 533:25 534:5 546:12 547:18 566:19 581:9 590:16 599:12</p> <p>commentary 417:21 488:21,24 489:4</p> <p>commented 315:25 418:23 431:19</p>	<p>commenting 437:9 487:23 489:14</p> <p>comments 399:18 416:13 417:3,6,17 437:5,18,21 451:17 488:13,14 489:4 492:9,11</p> <p>commercial 393:15 490:21 525:1 535:25</p> <p>commission 303:3,4 306:13 307:3 444:11 484:21 539:4 542:10 564:5 586:20 595:6,19 596:3</p> <p>commissioned 475:5</p> <p>commissions 593:14 594:5,11 596:13</p> <p>commitment 424:10</p> <p>committed 463:14 494:11</p> <p>committee 272:9, 16 337:9,17,18,20, 22 338:1,4,6,14,15, 23,24 339:5,7,10,11, 20 340:1,3,7,10,11 344:11 345:7 363:24 364:3 387:12,13,17 422:18 467:1 481:15 502:16,23 503:3 520:21 573:19 576:8,10,13 580:5</p> <p>committees 345:8 460:9,10</p> <p>communicate 403:1,17 406:1 602:12</p> <p>communicated 402:22 403:11,12 406:16 475:14 487:25 602:9</p> <p>communicating 405:8,9 531:8</p> <p>communication 312:20 395:7,19,21</p>
--	---	--	--	--

400:5 402:8 403:19 406:4,8,14 423:9 444:16 447:23 494:2 602:11	components 570:18	confident 435:7 446:3 499:13	consist 286:25	349:10 373:14 405:22,24 406:17,23 520:19 522:6 537:10 572:18,25 573:5 579:5 602:23
communication's 421:1	compose 346:24	confidential 392:17 393:8	consistent 386:4 531:4 564:17,20 573:23	continuation 516:13
communications 398:18 405:11 406:10,21 436:21 448:19 493:6 562:12 602:22	composed 338:3 339:3 421:6 478:1	confidentiality 587:15	consolidate 324:17	continue 278:23 324:1 398:10 410:20 448:5 543:13 554:22
communities 509:8,10,13 569:18	composes 477:12 478:19	Confidentially 434:24	consolidated 281:3 324:4,17 410:21 483:11,14,20 484:11 485:10,16 526:1,4,17,23 570:23	continued 270:3 542:22 567:15 585:11
community 414:12 506:7 529:17	concept 393:6,11 541:23	confirm 284:11 323:12 364:1 381:12 382:19 439:15 531:4	consolidation 555:7	continues 342:5 374:21 554:16 563:3 566:7
comparable 337:15	concern 348:3 450:3 460:16 487:25 529:18 565:17 575:18	confirmed 479:8 482:20 504:6	constraint 557:14	continuing 367:2
compared 509:10	concerned 433:5 464:24 519:7 567:22 587:15 588:25 598:17	confirms 439:14 517:10 518:4	constraints 558:11	contract 479:5 521:16 591:10 592:6
compensate 475:18 511:13	concerns 359:3 440:3 461:7 465:22 466:13 482:21 483:2 487:24 488:25 517:21,24 586:10	congruent 542:11	consult 287:14 295:23 307:19,25 308:5 411:6 452:12 508:25 522:20	contracts 514:3 521:15
compensation 475:21 476:2,5 511:16 513:19	concluded 441:16 457:9 458:18 460:18,23 475:7 522:12 542:21 603:5	conjecture 405:4	consultants 328:21	contractual 286:24 514:5
competing 572:8	concludes 373:15 522:25	conjured 498:2	consultation 306:12 307:2,13 308:14 328:9,18 329:6,17 331:11 332:3,4,15 334:23 342:14 343:2 357:3, 23 358:15 410:24 411:13 413:20 414:1 452:15 521:18 522:1,13	contrary 546:25
competitive 563:6	conclusion 441:23,25 457:23 464:12	connotations 534:23	conversations 315:17,20 334:8 351:16 442:24 448:13 586:24	convenience 383:23
competitively 552:17	conclusions 441:20	consequence 441:16 602:16	convention 572:12	conversation 282:10,25 303:5,9 349:22 351:14 424:8 497:22 498:2
compilation 317:8 491:7	concur 478:15	consequences 281:9 282:6 305:3,8 312:3,10 328:24 342:16 352:3 389:21 392:23 393:13 394:14,21 398:4 447:22 456:3 480:9 597:14 599:11 602:25	contracts 514:3 521:15	contractual 286:24 514:5
complete 343:5,6 373:18	concludes 373:15 522:25	considerable 494:12 563:15	contractual 286:24 514:5	contrary 546:25
completed 315:18 342:14,19	conclusion 441:23,25 457:23 464:12	consideration 351:2 440:9 473:20 503:16	contractual 286:24 514:5	contrary 546:25
completely 333:15,21 334:2 411:7,14 452:5 459:17 461:24	conclusions 441:20	considerations 282:17 283:4 305:16,19 308:3,4 343:8,13 345:12,13 375:17 556:1	contractual 286:24 514:5	contrary 546:25
complexity 507:17,19	concludes 373:15 522:25	considered 325:20 375:19 376:20 377:13 378:8,23 379:6 508:5	contractual 286:24 514:5	contrary 546:25
compliance 298:4 300:10 301:16 521:17	conclusion 441:23,25 457:23 464:12	considerations 282:17 283:4 305:16,19 308:3,4 343:8,13 345:12,13 375:17 556:1	contractual 286:24 514:5	contrary 546:25
complied 297:21	conclusion 441:23,25 457:23 464:12	considerations 282:17 283:4 305:16,19 308:3,4 343:8,13 345:12,13 375:17 556:1	contractual 286:24 514:5	contrary 546:25
component 440:24 523:22 528:4,14 531:10,13	conclusion 441:23,25 457:23 464:12	considerations 282:17 283:4 305:16,19 308:3,4 343:8,13 345:12,13 375:17 556:1	contractual 286:24 514:5	contrary 546:25

<p>418:15 515:5 524:2, 3</p> <p>copying 369:4</p> <p>core 278:7</p> <p>corner 326:4 383:20 501:11 508:21 567:18</p> <p>corners 500:5</p> <p>Corporate 284:15</p> <p>corporation 520:25 523:19 524:22,25 525:13 527:23 554:14</p> <p>correct 274:7,25 276:23 283:23 284:3,8 285:2,18 286:4 289:17 290:17 302:12,20 303:4 311:18,19 313:8 315:16 317:21 318:13 322:24 323:1 324:20 325:22 331:19,20,24,25 332:7 333:5,6 335:11,17 337:5,6, 20,23 338:2 339:5, 21 340:13 341:12, 15,17,18 342:10 343:8 346:4 350:24 353:15 358:24 359:4 362:13 363:12 365:3,12 369:9 371:4,9 372:6,14 373:9 374:4 378:16 382:8,10 384:24 385:24 387:23 389:14 392:19,23 394:25 395:8,20 396:5,11,19,22 397:21 398:14 401:17 402:3,15 406:6 408:8 409:2, 22 410:7,17 412:15 413:21 414:5,20 419:15,16 427:16 429:1 433:11 440:15,16,19 442:16 444:4,9,22 445:2 446:10,14 454:4 464:20 469:2 476:23 491:24 492:1,15 497:7 498:4 506:24</p>	<p>510:9 518:11,12 524:7,14 525:15 526:2,6 528:5,23 529:5,9 550:1 555:17 558:25 559:6 560:8,22 571:25 588:15 591:2,3,6,25 592:6,9,18,21 593:8, 9,14 595:14 596:12, 25 597:9 599:25 600:3,9,16 601:8,13, 14</p> <p>corrected 300:17 390:23</p> <p>correcting 323:13</p> <p>corrective 296:25</p> <p>correctly 307:22 338:15 448:24 461:18 589:14</p> <p>correlate 538:8</p> <p>cost 480:20 499:12 529:3 568:21 573:14</p> <p>costing 378:14,18</p> <p>costs 559:2,12 585:8 595:16</p> <p>Cote 271:10</p> <p>counsel 285:3 287:19,25 292:10,22 293:2 298:9 320:22 377:16 390:21 401:18 416:20 424:20 436:1 453:1 456:4 468:6 486:21 508:8 513:20 523:18 524:3 547:12,13 568:8</p> <p>counselling 464:14</p> <p>couple 272:10 273:10 292:17 452:23</p> <p>court 475:15 519:22</p> <p>cover 292:21 361:21 491:22</p> <p>covered 313:24 425:21 426:15 491:10 513:9</p>	<p>cranny 352:16</p> <p>CRE 361:20 383:16</p> <p>CRE0012950 364:22</p> <p>CRE0012973 379:18</p> <p>CRE0018299 296:17</p> <p>CRE0018318 322:7</p> <p>CRE0024178 492:21</p> <p>CRE0024180 492:22</p> <p>CRE0031439 496:25 498:7</p> <p>CRE0032059 410:12</p> <p>CRE0080004 362:25</p> <p>CRE0080005 363:1</p> <p>CRE0081193 418:13 430:19</p> <p>CRE0087519 359:21</p> <p>CRE0087520 359:22</p> <p>CRE0088295 394:7</p> <p>CRE0088298 394:7</p> <p>CRE0093343 523:12</p> <p>CRE0093344 523:13</p> <p>CRE0106086 438:23</p> <p>CRE0209040 407:12</p> <p>CRE0214397 347:21</p> <p>CRE0214400 347:22</p>	<p>CRE0214699 443:10</p> <p>CRE0359818 502:12</p> <p>CRE0359819 502:13</p> <p>CRE0359820 502:13</p> <p>CRE0360917 368:1</p> <p>CRE0360994 373:5</p> <p>CRE0361000 371:22</p> <p>CRE0361002 374:10</p> <p>CRE0361055 381:4</p> <p>CRE0361127 355:24</p> <p>CRE0361148 274:1</p> <p>CRE0406984 492:7</p> <p>CRE12950 363:22</p> <p>CRE14699 441:8</p> <p>CRE18299 275:11 296:15</p> <p>CRE18318 316:3 322:5</p> <p>CRE209040 399:8 407:11</p> <p>CRE214397 337:2 347:18</p> <p>CRE24178 487:13 492:19</p> <p>CRE24180 487:16 488:20</p> <p>CRE31439 497:5</p> <p>CRE32059 407:9, 14</p> <p>CRE360917 367:25</p>	<p>CRE360994 373:3</p> <p>CRE361000 368:3</p> <p>CRE361002 374:8</p> <p>CRE361055 379:20</p> <p>CRE361127 348:1 355:21</p> <p>CRE361148 273:24</p> <p>CRE406984 492:6</p> <p>CRE81193 430:13</p> <p>CRE87519 356:1</p> <p>CRE88295 394:5</p> <p>CRE93343 523:9</p> <p>create 488:5,8 492:12</p> <p>created 274:21 289:7 565:22</p> <p>creates 554:3</p> <p>creation 345:25 551:2</p> <p>credit 350:11 557:18 585:2,6 586:11</p> <p>CRF 281:3</p> <p>criteria 287:3 288:7 318:11</p> <p>critical 353:8 416:14,24 417:24 439:2 586:9</p> <p>cross-examination 270:3 421:24 523:16 543:15 584:3 603:5</p> <p>cross-examinations 300:21</p> <p>cross-government 586:21</p> <p>cross-motion 301:10</p>
--	--	--	--	--

Cross-referenced 329:10	day 444:13 445:4,22 449:11 456:12 477:13 478:13 523:21 546:24 579:3 598:6,8	414:9,13 415:6,12 416:16,23 417:1 428:20,21,22,23,25 429:3 431:14 433:11,16 435:24 436:2,3 437:7,19 439:2,11,24 440:5,9,14,18,22 441:11,17 442:15,17 443:12 444:2,6,12,25 445:25 446:19,23 447:3,15 448:22,23 449:2 451:2,8,14 452:3 453:3,9,10,15 454:15 456:3 459:3,25 467:5,7 468:18 471:12,15,16 473:24 475:18 477:1 484:13,17 490:15 502:18 504:9 511:13 516:18 517:7 518:1 519:4 521:2 528:11 549:16,18 551:21,22 552:22 553:13,17,20 573:18 574:2,8,10,13 576:6,7 577:7,10,13,15,19,24,25 579:4,22 580:4,6,9 581:8,15,17,18,21 582:3,5,6,9,12,18,21 583:6,8,12,15,18 588:4 597:14,20,23 598:19 599:11 600:23 601:10 602:21,24 603:1	580:20 582:24 583:2 586:18 587:21,24 599:20,22 600:2,9,12,15,21,24 601:2,7 602:1,9	deliberation 429:7
Crown 548:1	days 357:24 433:10 450:5	deck 272:8,25 273:2 303:24 305:15,19,24 306:1 323:10,16 326:3 327:20,21,25 328:3,6 330:8,10,11,13 334:5 335:20 336:3,14 337:1,6,11,14,17,21 338:3,5 339:3,6,18 340:25 343:7,12,14 345:11 356:4,6 357:5,10 370:16,25 371:12,14 376:8 379:22 380:8,16 382:23 473:11 498:1 500:7 501:9 520:2,5,18 522:17 562:17	deliberations 305:12 377:5 488:9	
Crown's 321:6,9	dead 479:17 499:3	decks 337:12 377:14 497:21,24 501:12	deliver 353:6 506:19	
crystalizing 472:7	deal 459:5 485:8 494:24 499:3,5,7	declare 309:3	delivered 490:21	
culminates 368:7	dealing 294:24 314:14	declining 563:5	delivering 571:24	
curious 380:4	debt 585:7 586:11	decreased 510:25	delivery 278:3	
current 316:8 318:20 362:2 431:1 501:6 556:20 558:13 565:21	December 270:25 274:6,20 275:12,17 276:4,8,9,22,25 301:13 305:1 307:16,24 312:2,20 313:8 315:14 321:14,21,24,25 322:9,13 325:10 326:12,17 328:16 335:4 342:4 479:14 500:16 567:5	define 572:21 573:15	delve 287:9 352:16 451:24 466:7	
curve-down 573:14	decide 304:1 346:25 347:3 397:22 502:21 555:1	defined 563:8	demand 482:12 555:25	
customer 554:23	decided 363:6 365:9 372:18 390:20,22 391:8 395:24 396:3 413:1 442:15	defence 301:4	demands 552:18 572:8	
customized 357:16	deciding 579:4 597:18	defendant's 291:4	demographic 554:23	
cut 528:22 557:5 559:2,22 560:14 561:2	decision 272:8,24 273:2 300:24 303:24 310:4,7,11,16,17 319:22,23 345:20 346:19 365:17,20 366:17 371:6 374:3 381:7,12,17 382:2,5 391:3 392:25 393:22 394:10,14,15,19,22,25 395:5,6,10,14,16 396:8 397:20 398:4,18 400:3,14 401:4,12 402:8,20 403:7,10,11 404:2,17,20,23 405:3,13,16 406:1,6,11,15 407:2,4 411:7,14 413:25	deferred 516:18	demonstrate 303:8	
cuts 557:10 561:15,20 585:9	decision-maker 465:17,21	deficit 350:11 353:7 366:6 450:16 467:13,15,18 495:6,9,14,16,23 496:2,12 557:17 584:15,18 585:10	depend 295:9	
cutting 433:1 528:17 572:19,20	decision-making 411:22 436:18 488:9 602:8	deficiency 572:21 573:15	depended 503:21 595:13 596:23	
<hr/>	decisionmaker 498:14	defined 563:8	dependent 334:15 571:3	
D	decisions 350:3 351:3 353:18 389:20 390:10 392:21,23 394:17 399:3 406:12 411:20,21 412:1,5,9,14 428:18,19 429:4,6 438:1,8 453:16,18 465:19 466:14,17 500:10 560:25 561:24 577:17,23 578:2,3,7,15,17,20 579:1,6,13,24	definition 287:15,17 293:18	depending 318:18 572:13 597:3	
<hr/>		degree 411:24 447:11	depends 578:12	
Dalton 321:15		delayed 559:24	depth 353:2 535:13,21	
damages 511:21		deliberately 406:4,20	deputies 272:9	
data 346:3 366:3,8,12			deputy 270:24 271:1,2 274:5 285:6,9 301:13 309:6 322:20,22 325:21 329:14 331:9,19 334:21 337:4,17,19 345:3 360:8 363:15 364:10,11,12 493:12 518:19,23 529:14 590:9	
date 280:23 299:8,19 302:21,23 304:9 362:15 390:1 404:9 504:9,19 564:8,15 566:3 569:23 576:11			derive 281:12,16	
dated 296:6,12 298:17 321:24 399:16 493:2 564:5			derived 280:4,7	
dates 270:21 444:9 500:24 562:2 563:19,20 564:3,14 566:15			describe 542:20	
Dave 460:4 478:21 479:7			describing 388:4	

601:17 designed 392:16 393:7 405:12 406:4 420:16,17 536:23 destabilize 404:19 405:1,12 406:5,8 424:18 detail 274:10,19 466:7 detailed 271:5 301:21 370:16 432:12,18 583:9 details 375:12 400:19 405:16,23 407:4,5 409:23 410:2,3,9 417:19 432:21 439:5 507:17,20 561:10 590:17 598:14 determine 384:3 393:21 determined 550:20 552:13 570:5 determining 577:8 detriments 481:22 develop 309:20 developed 274:24 279:19,21 281:14 395:21 467:21 504:2,8,24 developing 274:16 279:17 346:15 development 275:2,6 316:19 317:6,15,21,25 318:19 319:5 320:20 328:7 430:24 431:3, 5 504:15 528:3,14 529:1 531:9 539:15 547:8 594:21 differed 327:9 difference 535:24 536:10 541:24 differences 497:1, 6,11,14,16,19	differs 527:22 difficult 350:2 392:11 452:3 467:13 559:18 561:25 573:9,16 587:2 601:16,17,19,22 difficulty 534:19 dig 275:11 dire 486:10 direct 275:2,4,5 298:10 316:23 381:8,19 432:8 455:12 458:1 510:7 540:13,17,24 541:13,17,23 549:4, 6 556:18 directed 368:10, 13,25 369:14 421:6 440:13,17 475:12 497:7 502:16 530:13 549:8 557:1 569:13 571:16 597:14 directing 555:19 direction 333:10 338:11 349:4,6 355:6 364:19 365:19,22 366:2,9, 16 369:20,23 370:4 372:22,24 373:11 380:20 382:3,4,6 390:25 391:12,25 409:9 410:23 436:6 455:1 477:25 500:19,22 502:6,22 513:4 573:21 575:20,21 576:3 581:10,11 586:7 587:19 588:5 directions 504:13 directive 283:22, 25 284:6 286:13,22 288:16 289:8,13 290:14 292:14,20 296:22 297:22 298:5,14,17 300:10 301:17 564:4 directly 294:7,17 368:6 387:17 directors 415:15 416:1,6	directs 556:3 disagrees 495:25 disastrous 447:21 disbursed 317:19 disclosed 572:14 disconnected 533:8 discontinue 581:22 582:19 583:13 discovery 320:23 discuss 369:25 435:8 discussed 283:5 329:7 333:1 342:12 346:14 352:21 390:19 391:7,10,12 424:3 432:1 466:10 481:13 523:4 593:16 discusses 556:8 discussing 271:9 281:23 282:5,23 537:22 540:21 564:7 588:18 discussion 348:3 350:21 354:8 363:23 365:23 381:6,17,21, 23 384:23 400:13 424:12 436:23 444:18 445:18 458:11 483:9 498:11 523:24,25 539:6 562:9 563:22 564:9 576:20 583:22 584:2 588:22 discussions 274:9 292:1 304:25 342:20 370:20,25 459:10 508:2 disincentives 554:1 dispatch 462:17 disposal 462:17 560:12 disproportionate ly 509:9	disseminating 425:15,18 427:5,11 distinction 395:12 distortions 554:5 distraught 447:10 distress 464:5,20 465:5 distributes 526:3 distribution 324:5 distrust 565:22 disturbing 463:15 dividend 281:13, 17 484:7 525:12 526:7,18 555:19 division 284:17 390:17 divvied 596:20,23 DM 276:21,22 316:6,13 337:3 370:15 DMFPC 337:17 docs 368:18 document 279:13 283:9 284:14 285:9, 10 287:23 288:10 292:25 293:7,17 294:16,20,23 295:11,12,23 296:5, 11,15,20,23 299:11, 19 321:24 322:3,12 338:17 342:1 347:10,14 361:20 380:13 391:16 407:19 415:17 441:8 442:15 456:7 472:18 487:15 524:9 525:18 530:5 553:10,13,14, 17 555:14 574:23 documentation 318:10 documents 292:11,12 293:2 319:6 323:9 359:14 453:2 457:1 496:14 510:5,6 567:1 587:16	dollars 280:22 475:19 525:19 Don 348:22 349:22, 23,24,25 350:10,13, 15,20 351:2 353:17 558:2 door 494:19 doubt 435:19 downgrade 450:18 557:20 downgraded 557:20 downgrades 467:14 585:7 downturn 585:23 dozen 584:21 draft 275:14 276:8 306:2,5,9,25 308:13 311:17,18 340:16 346:20 347:14 399:9,14 441:12 444:1,2,4 450:6,9 478:12 487:22 488:22 491:4,6 492:10 520:2 575:2, 11 drafted 584:10 drafts 516:24 drawn 328:17 443:21 464:11 drew 328:8 driven 528:12 drives 498:25 driving 482:12 drop 471:25 472:20 dropped 437:11 472:23 473:5 509:20 drum 429:13 Drummond 312:21 313:8,25 315:4,14 348:4,17 349:8,24,25 350:10 351:7,18 352:21 353:13,17 354:9 385:14 528:16,20 558:2
---	---	---	---	---

Drummond's 315:24 385:20 591:14	387:13 398:21 430:24 431:3,5 432:5,24 433:6,8 440:14 441:9,15 442:3 449:6 450:5 458:3,7 498:25 528:3,14 529:1 531:9,13 539:15 547:8 585:21 586:1 599:15,20 600:3,6, 14,20,22,25 601:6, 16,17 602:16	eliminated 350:17 379:25 380:6,10,18 555:6	enclosing 271:10 374:19	17 530:5 539:8
due 440:9 554:23		eliminating 386:6	encourage 464:17	entitlement 286:23 287:13,14,15
Duncan 321:20 360:3 369:21,22,25 370:3 372:18 376:16 377:20 378:7,21 379:2 381:7,17 382:1 390:19 391:8 398:19 400:13 410:22 429:25 435:24 436:2,7 468:16 597:15	economy 442:5 601:20	elimination 313:12 314:1 351:9 381:9,19 384:19 416:7 458:13	end 287:18 314:8, 22 320:15 323:19 325:10 326:6 330:16 340:19 341:20 360:13,19,21,24 403:8 404:11 408:1, 14 453:23 500:16 521:2 562:24 575:15 577:20 578:11 579:3	Entitlements 288:4
Duncan's 360:11 369:13 401:15 402:2 408:21 416:15 430:4 431:9	edgy 435:6,12	Elizabeth 322:15 383:21 407:21 435:16	ending 313:20 445:23 449:18 466:15 510:22 512:15 556:22	entity 290:6 592:17
duration 304:17	edits 372:9	email 271:9,12 272:25 296:9 316:3 325:12 336:19 337:14 348:2,13,14, 21,24 355:12,17 360:23 361:21,22 362:20 363:8,10,22 365:1,2 366:9 368:5 370:14 371:25 372:15 373:14,23 374:17 375:8,14 378:7 380:2 384:6 388:8 399:7,8 407:9, 20,21 418:13 427:4, 6 430:17 431:21,22 432:20 434:17 438:16,18 469:10 476:10,19 477:12 478:1,19 480:4 482:9 485:19 488:13 491:22 493:1,2 494:5 498:13,16 520:1,3 540:4	envelope 561:12	entries 357:7
duress 572:15	education 427:7, 15 433:3 440:23 442:11 468:20 526:22 561:11,15,16	Elizabeth 322:15 383:21 407:21 435:16	endorsed 382:8 418:22	environment 330:5 600:23 601:16,17,20
duties 291:22	effect 284:7,8 304:9 362:13 416:4 473:21 578:7	email 271:9,12 272:25 296:9 316:3 325:12 336:19 337:14 348:2,13,14, 21,24 355:12,17 360:23 361:21,22 362:20 363:8,10,22 365:1,2 366:9 368:5 370:14 371:25 372:15 373:14,23 374:17 375:8,14 378:7 380:2 384:6 388:8 399:7,8 407:9, 20,21 418:13 427:4, 6 430:17 431:21,22 432:20 434:17 438:16,18 469:10 476:10,19 477:12 478:1,19 480:4 482:9 485:19 488:13 491:22 493:1,2 494:5 498:13,16 520:1,3 540:4	engage 308:5,6,7 329:22	equalization 586:2,4
dynamic 534:9 537:22 538:2,21 540:21	effective 372:22 381:9,20 415:13 416:8 444:7 458:14 556:4	Elizabeth 322:15 383:21 407:21 435:16	engaged 272:2 275:8 328:20 374:2 387:7 475:21	equation 433:9
dynamics 367:5	effectively 556:22	Elizabeth 322:15 383:21 407:21 435:16	engagement 278:13,16,18 332:12 580:18	equivalent 458:19
E	efficiencies 396:21 561:7	Elizabeth 322:15 383:21 407:21 435:16	engaging 507:5	equivalents 457:10
earlier 274:15 298:24 325:13 330:23 334:21 346:14 355:10 441:13 448:7 460:21 496:25 497:21,24 498:1 499:25 521:6 550:13 567:8 584:7 590:3 595:1,17	effort 453:25	Elizabeth 322:15 383:21 407:21 435:16	enhance 536:24	Erie 516:14
early 290:8 326:17 334:22 397:21 460:24 462:18 472:1 473:20 587:13 588:21	efforts 435:10 562:25	Elizabeth 322:15 383:21 407:21 435:16	ensure 291:24 346:20 392:16 393:7 470:1	escalated 325:21
earn 302:8	elected 344:12 345:5,8 429:1 576:22 579:15	Elizabeth 322:15 383:21 407:21 435:16	entail 312:13	essential 295:25 323:24
economic 316:19 317:6,15,21,25 318:19 319:4 320:20 334:10 338:4,6,19, 25 339:5,11,19 345:14,19 346:4,7	election 426:24	Elizabeth 322:15 383:21 407:21 435:16	entailed 365:25	essentially 568:19
	electricity 558:9	Elizabeth 322:15 383:21 407:21 435:16	enter 549:8	establish 340:20
	element 380:7 396:12,13	Elizabeth 322:15 383:21 407:21 435:16	entered 304:23 542:16,24 545:1	established 293:14 320:21 500:12 535:12,22 598:24
	elements 343:1 367:10,15 375:18 378:3 396:6 602:5	Elizabeth 322:15 383:21 407:21 435:16	enterprise 591:2, 16 592:4,21 594:23	establishing 470:21 584:24
	eligibility 287:3 288:6 318:11	Elizabeth 322:15 383:21 407:21 435:16	enterprises 591:5, 22,24	estimate 442:8 546:13
	eliminate 415:13 416:16 417:2	Elizabeth 322:15 383:21 407:21 435:16	entire 450:13,15	estimated 316:20 457:10,18
		Elizabeth 322:15 383:21 407:21 435:16	entities 591:10 592:5	estimates 284:16 422:17 458:15 481:15 510:5,7
		Elizabeth 322:15 383:21 407:21 435:16	entitled 284:15 296:5,11 321:5,8 337:2 357:8 513:16,	estimating 547:17
		Elizabeth 322:15 383:21 407:21 435:16		euthanization 434:13 460:23 461:5 465:23
		Elizabeth 322:15 383:21 407:21 435:16		euthanized 434:10 479:13
		Elizabeth 322:15 383:21 407:21 435:16		euthanizing

464:18	exceeds 526:14	11,12 514:25 515:7	experts 356:16	facility 505:8
evaluate 352:12	excerpt 491:3	523:11,12 529:24,25	464:2	551:13
evaluated 351:19	524:12 529:25	530:4,5,8,11,13	explain 406:11	facing 557:16
352:8	547:25 552:1	539:22 541:8 550:15	437:2 572:17 594:17	564:18 584:17
evaluation 314:21	excerpted 523:25	552:2 553:4 558:23	explained 275:16	fact 276:7 328:20
eve 391:25	excerpts 558:22	562:14 564:23,24	397:25 444:23	332:22 333:16
evening 445:1,19	591:19	565:4,7,10 567:11	477:18	342:22,25 344:8
evenly 527:18	excess 434:7	569:13 571:7,11,12	explanation	386:23 395:1,4
event 295:18	excessive 399:24	591:18	427:23	444:24 451:18
489:14 596:2	exchange 273:16	exist 497:1 555:3	explicitly 316:1	453:14,15 489:15
events 447:18	438:16,19 476:20	existence 491:8	376:13 377:22	524:12 526:12
463:19	519:13 533:24	existing 481:1	exposed 274:14	538:17 539:18 547:4
Eventually 424:25	exchanges 434:25	553:24	exposure 567:9	553:2 557:11 597:19
evidence 270:19	435:4	exists 456:8 472:3	express 440:3	598:18
363:3 415:6 421:24	excluded 491:15,	exit 373:18	460:16 461:7	factor 305:14 434:4
472:17 477:4 487:5	16	expand 341:11	expressing	585:11
514:8,12 534:8	exclusively	445:16 513:5	378:21 431:13 450:3	factors 281:19
537:21 538:8,25	480:24	Expanding 342:11	extensive 328:8,	305:13 429:7 554:20
541:2,9 542:3 551:1	excuse 276:9	expansion 341:17	17 329:17 331:11	570:5 601:11
568:7 575:16 581:6,	308:20 320:24	342:15	332:2 342:14 358:14	facts 470:24
16 582:4,8,15 583:5,	392:20 393:12 474:4	expect 294:10,12	444:20 452:20	failure 511:12
14	545:15	353:3 551:15 600:1	extensively	563:7
evolution 378:10	executed 286:18	expectations	390:14 514:18	fair 281:17 289:15
evolved 470:6	exercise 288:13	536:25	567:25	305:13,14 366:18
490:8	569:23	expected 294:11,	extent 359:6 390:2	371:10 372:23
exact 275:24	exhausted 342:23	13 328:22 329:21	401:8 503:15 536:16	393:15 397:6 401:4,
337:12 460:8 496:9	exhibit 273:21,22	332:1 516:18 555:8,	555:2	12 403:4,5 412:19
580:6	274:1 296:3,7,11,16,	9	external 356:15	447:7 451:20 453:1
examination	17 298:12,15,16,22	expenditure	570:5 597:23	468:5 482:25 483:16
327:23 360:16,17	311:19 322:4,6,7	393:2 442:12 450:22	extra 376:1	490:11 491:8 513:20
368:4 373:13 374:17	327:13,16,22	557:8,13	extract 491:3	514:14 527:25 535:8
417:13 426:19	336:11,21,22 347:5,	expenditures	extreme 464:5	536:19 545:9 546:5
456:13 469:22	18,21 355:13,22,24	442:10 495:4 548:15	extremely 500:18,	562:10 566:12
470:10 472:18	359:20,21 360:16,17	expense 302:7	21 583:7,15	569:15 570:2,6
492:25 498:10 500:4	362:17,24,25	303:3,13 490:20	<hr/>	572:9 577:6,12
515:1 523:21 553:5	364:21,22 367:25	529:4,7 593:17	F	589:9 598:4 600:4
564:24,25 565:11	368:1,4 371:20,21	594:13,22	<hr/>	fairly 354:11 412:2
567:12 571:12,13	373:2,4,13 374:8,9,	expenses 484:20	face 391:20 563:3	589:11
591:18	16 379:15,16,17	525:25 527:20 594:6	faced 350:1 467:12	fairness 335:9
examinations	380:25 381:1,2,3	experience	563:15 564:12	451:16 550:13
300:23 301:8	394:2,4,5,6 407:11,	294:19 388:4,10	568:13 584:9,18	faith 300:25 412:10,
examine 541:7	12,15 410:10,11,12	463:5,8	585:23	15 423:9 429:5
examined 273:6	417:12 426:18	experienced	facilities 525:1	511:12 582:10,20
462:12 567:25	430:12,14,16,19	511:15	550:21 553:24	601:7
examples 482:17	438:14,23 443:7,10	expert 334:24	face 391:20 563:3	fall 270:25 272:3
561:13	469:21 471:17	446:2 449:17 462:15	faced 350:1 467:12	473:20 500:23
	492:4,5,7,18,19,21,	567:9 568:4,5	563:15 564:12	501:17
	25 496:20,21 498:5,		568:13 584:9,18	familiar 284:4
	6,7,9 500:3 502:10,		585:23	290:9 308:16,24
			facilities 525:1	475:10 524:8 590:2,
			550:21 553:24	

17 592:22	fewer 563:19	468:19 474:25	font 520:14	foundation 541:15
families 560:4	fill 391:22,23	488:16 493:23	food 318:23 438:5	551:3
farms 513:12	final 356:4 370:6	497:15 512:2 554:22	440:3 460:1 470:23	four-year 304:4,
fashion 314:9,24	372:3 377:4 382:9	557:23	471:9 502:7 509:23	12,16
fast 389:17 506:21	383:13 386:24 404:2	fine 313:3 321:10	510:14 515:11 589:4	fourth 341:2 571:14
fast-track 387:9,	491:4,6 520:2	362:23 372:10	foot 301:8	FPC 364:3,7
11,14,15,16 389:7	finalized 395:23	383:16 487:5 488:11	footage 475:22	frame 399:23
feature 396:10	finalizing 374:25	finish 366:22 426:8	551:9,13	frankly 432:12
February 275:17	Finance 270:24	450:20 466:23 519:2	footnote 362:6	free 415:7 422:11
276:4,11 315:18	274:21 279:12 281:6	546:22	footnotes 294:23	425:2,22
347:25 351:9	285:7 301:13 305:1,	firstly 457:25	footprint 312:17	frequent 354:12
360:20,22,25 361:1,	6 306:10,11 307:1,	fiscal 335:15	329:4 398:8 462:6	Friday 435:5
21 363:5 364:2,4,7	11,17,18,24 308:15	337:18,20,22 338:1	529:22	477:12 478:18
365:2,12 366:19	309:19 311:9 315:22	339:9,25 340:2	force 297:22	friend 525:12
368:24 369:21	323:9,15 325:11	344:4,11 363:24	forced 463:11	frighten 406:14,20
370:24 371:25	328:16 331:22	364:3 389:11 396:18	511:17	front 271:15,17
372:17 374:20,21	332:14 334:25	399:3 405:21 450:18	forecast 495:19,21	343:15,23 346:19
376:7 379:21	336:9,19 339:4	460:9 480:9 488:5,8	507:23	355:20 382:6 383:2,
380:16,20 381:8,18,	345:4 350:22 353:12	492:13 494:9 499:24	forecasting	16 465:17 553:6
25 382:8 391:11	360:8 369:5,14	557:16 558:11,17	495:16	fronts 574:22
395:6,7,11 396:1,4,6	370:17 371:2,7	559:13 560:10,12,24	foregone 376:14	frowning 533:12,
397:20,21,23 398:21	372:2,5 384:23	561:6 601:19,23	377:22 484:1,3,21	13,15
399:16,17 400:7	385:8,10 408:8,21	five-year 274:21,	485:2	fruition 506:21
402:2,9,21 403:6	409:2,16 410:7	25 277:2,4 279:4,12	forget 491:2	FTE 383:24
406:25 409:18 413:1	447:16 455:6,14	282:7 296:10 298:22	form 461:11 526:8,	FTES 457:18
415:11 416:13 418:8	458:4,15 459:22	299:8 304:9 305:2,7	12	full 293:6,9 384:19
423:22 426:20	470:1,12,14 471:13	309:13 312:4 322:10	formal 443:5	405:17 415:25
427:5,19 431:23	477:22 478:22,23,25	325:16 336:4 372:20	formula 551:8	458:13 470:1 576:13
433:12,13,16,18,22,	479:8 486:12 487:22	fixed 550:5 595:9	Fort 516:14	579:4
24,25 439:25 466:11	488:6,12,21 489:3	Flaherty 586:10	fortunately 453:4	full- 458:17
503:18 522:10 566:4	490:2 509:22 510:13	flaw 498:24	forward 301:8,9	full-time 457:9
582:2,22 587:14,21	518:20,24 529:19	flip 357:13 491:13	305:21 331:22	458:19
federal 586:2,8	531:5 534:4 540:5,6	524:15	336:1,4 345:22	fully 406:18 435:9
fee 570:16	547:23 548:4,9,11,	flipping 470:14	346:23 347:2,24	fund 281:3 309:22
feedback 338:10,	19 554:4 556:18	flow 286:11 324:22	350:24 354:21	311:1 324:4,17,18
25 399:13 431:18	557:23 571:9,23	flowing 301:23	357:13 358:23 391:2	410:21 440:22 474:9
580:10,13,22 581:3	572:1,5 576:18	311:13	415:21 451:6,11	483:11,14,20 484:11
588:23	583:3,9 590:9	flows 525:25	452:2 462:8 488:7	485:11,17 526:1,4,
feeding 465:6	Finance's 303:2	focus 301:1	574:21 576:5,24	17,23 550:15 570:23
feel 538:14	477:20,22 563:13	focused 592:11	579:17 580:18 588:8	571:2
feeling 435:18	finances 495:2	folks 332:18 334:22	589:10,21	funded 570:11
438:12	financial 294:12	410:9 493:4	found 444:24	funding 274:22
feels 457:16	303:7 306:14 307:5	follow 273:13	460:13 503:10,21	277:4 278:21 279:3
fees 570:12	338:13,16,18,25	296:23 365:9 372:19	506:16 508:3,7,15	280:8 299:4,9,15,20
felt 313:15 349:15	345:13 399:24	391:8 407:7 491:1	509:11 569:13	
477:24	452:23 472:8 495:16	follow-up 273:5		
	496:7,11 506:15			
	571:24 585:3 586:6			
	592:8			
	find 328:12 384:8			
	389:11 421:5 424:25			

304:19 310:3,20 317:24 319:14 320:7,10,12,14 333:14,20 334:1 340:22 362:2,8 378:10 384:20 386:7 391:10 410:21 414:17 458:14 462:7 489:17 505:21 516:5,9 525:7 551:22 555:5 560:15 561:3 570:10,23 572:19,21 575:9 577:9,15 578:8,9,21 579:1,13 581:22 582:19 583:13 586:4 588:7 589:16,20	gaps 391:21 gave 350:9 365:22 476:21 510:10 528:8 530:8 561:13 574:16 580:1 586:3 594:25 Gene 344:13 420:23 421:5 460:4 469:10 476:11 477:6,13 478:2,19 485:18 486:9,15 general 283:2 285:16 301:19 312:15,17 356:9 400:23,24 439:1,8, 13,20 456:1 473:2 482:3,8 483:6 495:18,20,22 502:17,20 503:4,10, 20 506:16 508:3,7, 14 509:11 510:13 512:1 516:23 517:9 518:3 519:6,15 520:23 522:25 536:25 546:10 547:15 563:16 564:9 General's 456:7, 15,23 472:23 508:9, 20 514:17,21 520:7 521:9 544:1,4 546:13 generally 361:3 414:23 generate 303:13 313:22 396:17 505:3 generated 277:20 281:7 323:9 324:14 377:9 483:17,23 485:3 505:6 524:23 592:17 595:12 596:3 generating 353:5, 10 378:13 593:8,11 generation 396:16 generic 595:4 genesis 476:19 give 291:11 297:11 328:12 338:16,20 348:5 357:4 383:16 393:5 415:19 421:23 470:21 480:10 487:14 490:16	514:8,12 533:3 537:15 539:25 543:10 544:15 545:21 574:23 giving 338:8 366:16 369:23 376:21 398:20 455:25 477:2 551:1 565:16 595:3 goal 396:17 529:8 goals 415:24 Godfrey 416:2 454:9 good 330:1 412:10, 14 422:21 423:2,9, 13 428:1 429:5 435:13 451:19 469:15 481:16,18 490:9,10 511:12 523:17 537:19 563:23 581:15 600:3 601:7 goods 294:6 547:9 550:7 592:12 Goodwin 322:15, 23 364:10 372:5 373:16 374:18 407:22 408:10 418:14,24 419:12,17 431:23,25 432:19 433:23 434:2,18 438:16 520:1 governance 521:22 governed 283:22 284:3 governing 297:4 government 277:9,18 278:2 280:18 285:19,24 288:5 294:1,2,4,5 298:2 299:2 301:20 303:15 304:1,2 305:11 310:10 315:21 317:2,14 320:19,21 323:19,22 324:5,16 325:5 326:7,19 330:16,18 333:7 350:1 352:17, 19 356:4 366:6	377:24 385:16 388:16,23 389:4 390:5 393:3,12 394:18 395:5 396:18 399:4 403:20,24 404:18,25 405:5,11 406:20 411:12,19 412:25 413:9 414:5, 7 416:15,16,23,25 428:12,18,19,24 437:11 447:13 449:12 450:1,10,19 451:1,23 453:8,10 454:1,15 455:1 459:4,10,25 461:11, 21 462:4,8 467:4,12 470:21,22 473:12,14 474:10,11,15,19,22 475:6 476:25 480:17,19 481:4,15 484:7 490:8,22 495:15 499:16 500:19,21,25 513:18 519:21 521:14 526:3,9 527:24 529:18,21 531:7,16 532:17 536:5 549:16,17 550:3 552:8,12,15,23,25 558:3,8,20 559:19 563:1 572:13 573:1, 3 576:3 577:1,8,14, 16,18,24 579:18,22, 24 580:4,8,19,23 581:10 582:6,11 583:16 585:5 586:8 587:1 588:18,25 589:20 590:9 591:1, 4,5,15,22,23 592:3, 4,17,20 594:23 598:16 599:4,19,22 600:1,7,10,14,20 601:2,6,9,24 602:9, 21 government's 277:14 291:3 295:4 306:14 307:4 310:15,17 316:23 413:24 424:10 427:23 452:24 490:15 500:8 501:20 519:16 521:2 552:11 560:12 561:14 598:12	governs 291:2 gradually 274:15 graphs 491:14 grappling 366:6 grateful 553:8 great 485:7 585:13 greater 455:20,21 466:7 552:14,24 555:2 greatest 281:7 Greg 364:8 grew 589:17 gross 595:18,25 596:17 group 374:22 467:1 568:14,15 582:24 583:1 587:6 grouped 578:4 groups 351:25 448:19 growing 585:22 growth 318:19 430:24 442:3 585:21 586:1 GTA 376:2 503:23 504:3,5,8 Guelph 529:20 guess 273:3 424:25 430:21 505:16 520:9 586:22 587:20 589:16
<hr/> G <hr/>				<hr/> H <hr/>
gaining 585:25 gains 442:6 gamblers 527:10 gambling 415:24 485:5 525:6 527:12 gaming 274:11 276:22 337:16 341:12 342:11,16,22 352:21 356:8,10 361:25 374:19 387:22 388:4,10 396:20 425:6 520:25 523:19 524:19,21,25 525:13 527:24 554:14				half 374:12 525:19 584:21 hand 392:25 handing 273:19 handle 409:4,17 480:23 happen 479:16 507:22

happened 282:25 333:16 334:17 463:6,9	503:14	551:23 552:9,23 554:8 555:3 562:23 563:3,6,14,20 567:6 571:18 577:9,15 578:21 580:12 581:22 582:19 583:13 588:24 596:4,25	394:3,5,6 407:16 438:15 564:25 565:1,7	341:16 396:10 404:24 559:24 580:6 600:24 602:21
happy 494:2	highly 353:8 416:14 594:19	hired 478:22,23,25 479:3,4,8	identified 317:14 319:4 345:20 355:15 461:13 482:6 497:16 548:4 558:2 559:15	implemented 310:4 362:9 394:11 467:8 557:9 581:3 602:15
hard 304:11 389:9, 16 390:11 546:23 559:16	hit 396:18 560:12	hit 396:18 560:12	identifies 277:13 293:18 296:24	implementing 600:8 601:25
harder-hit 558:18	hitting 405:20 573:14	horses 312:11 414:18,20 434:14,20 458:25 460:24 461:5 462:11,18,25 463:13 464:18 465:2,5,23 479:13,17 493:21 499:4,5,7 596:7	identify 282:16,19 343:8 347:9 402:11 423:13 488:7	implications 585:2
harmful 394:23	hold 270:11 370:19 383:14 530:1 546:23	host 476:24	identifying 318:10 393:13 457:14	importance 523:1
Harmonized 580:23	homes 560:16,19	hospital 558:10	imagine 337:24	important 366:15 389:20 395:12 397:20 464:13 490:1 506:2 526:10 529:20 572:11 600:9
hashmark 388:14 391:16	honest 455:25	hospitality 375:25	imbalances 554:24	impression 456:1 519:7,8,11 563:17
have-not 585:16, 19	hoped 560:6	hospitals 525:3,21	immediately 446:22 447:7 452:24	improperly 439:25 440:2
head 385:18,21,24 528:9,17,22 529:3, 17	hoping 432:4,13 538:8	hour 374:12 523:20	impact 281:23 331:13 333:3 338:19 345:13,14,19 351:19 352:13 384:18 393:24 394:13 405:6 407:1 409:8,21 410:2,3 414:12 432:5,25 440:20,21 441:6 442:2 457:10, 19 458:7 461:7 472:6 502:3 510:11 558:16,19 602:1 603:2	improve 329:8 569:4
headed 292:19	horse 273:8 274:21 277:2,10 295:5 297:5,18 300:8 305:4 306:14 307:5 309:22 311:1,13 312:3 316:9 319:3, 14 320:3,17 323:4 324:19 326:5,8,12, 17 329:9,18 330:7 333:12 335:4 340:22 348:18 352:13 353:24 359:8 362:2 363:6 364:13 366:11,20 372:8,12 373:17 379:24 380:9 383:23,25 384:18 386:7 396:24 398:6 399:19 400:22 401:16 402:1,6,15, 16,19 433:1 434:8 444:5 446:9,24 447:4,22 449:18 454:2 457:11,19 461:9,15 464:19,24 470:10 471:22 472:1 475:8 480:20,25 484:5,15 486:10 489:21 497:2,3,12 499:15 500:11,17 501:19,22 509:13,15 510:24 515:25 516:1,6,13,16 521:19 522:1,14 527:19 530:23 531:23 533:3,7 536:21 537:4,19	house 586:6	imbalanced 554:24	improvements 476:1 513:9,12
heading 299:1 520:18 524:19	host 476:24	how's 486:21	immediately 446:22 447:7 452:24	in-depth 432:5 433:6
health 433:2 440:22 442:11 468:19 526:21 527:7 561:15,16 602:4	hour 374:12 523:20	HR 384:2	impart 281:23 331:13 333:3 338:19 345:13,14,19 351:19 352:13 384:18 393:24 394:13 405:6 407:1 409:8,21 410:2,3 414:12 432:5,25 440:20,21 441:6 442:2 457:10, 19 458:7 461:7 472:6 502:3 510:11 558:16,19 602:1 603:2	inaccurate 394:20,22
hear 477:5	HRFTE 384:4	Hudak's 421:13	impacted 404:20 405:2 471:23 509:2, 9 522:22	inadequate 452:5 459:18 461:24 465:6 521:18,25 522:13
heard 358:6 363:3 365:14 368:9 369:5 372:24 419:1 459:9 494:8 513:16 529:14 584:20	humane 462:17	hundred 493:7	impacts 280:7 332:15 338:9,13,16, 19 357:17 359:3 383:24,25 384:4 392:21 440:10,18 445:24 446:7,8,15, 24 449:9 450:2,23 453:8 461:4	inception 319:2
hearing 370:17 418:10 494:6	hurt 561:20	hypothetical 402:13 546:18	impasse 565:21	include 376:14 377:22 385:17 440:23 448:11 489:15 563:4
heightened 495:2	hypothetical 402:13 546:18	<hr/>	implement 310:7, 12,16 397:5,16 412:13 600:20 601:2,7	included 315:23 332:4 344:1 405:16, 23 436:18 491:15 498:13 547:23 548:9 549:2 553:14 575:6 602:7
held 400:6	i.e. 418:1 479:10 555:9	idea 280:11 346:19, 24 438:11 451:19 458:24 529:16	implementation 601:2,7	includes 375:18 530:9 556:5,7
helpful 282:12 291:11 445:13 538:15	ideas 568:20	identical 330:22	including 272:10 309:10 320:19	including 272:10 309:10 320:19
helping 422:24 423:2	identical 330:22	identification 336:12,22 347:6 355:14 362:18 371:20,21 373:3,4 374:9 379:17 381:3		
helps 535:2,4	identical 330:22			
herd 464:3	identical 330:22			
Hewett 322:15	identical 330:22			
highlighted	identical 330:22			

329:18 331:12 334:24 338:12 340:6 359:8 386:5 405:6 440:19 461:4 467:22 521:1 601:20 income 281:2 560:3 incomplete 394:20,22 increase 280:25 281:13,16 483:13 484:10,14 485:10,16 495:3 554:6 555:19 increased 280:17 480:22 increasing 564:13 585:8 increments 279:22,23 280:1 incumbent 394:21,24 incurred 594:6 incurs 529:7 independent 482:12 independently 351:24 indicator 498:20 indirect 530:24 531:24 individual 285:21, 22,25 286:2 294:3 342:21 554:15 572:17 586:22 individuals 592:12 593:4 594:8 industries 497:14 509:1 522:21 industry 277:3,5, 10,17,19 278:3,6,24 283:3 295:5 297:5, 18 299:10 300:9 302:3,10,18 304:3 305:4 306:15 307:6 309:12,14,22 311:1 316:10 319:4 320:3, 17 323:21 324:6,20	325:3 326:9,13,18 329:19 330:17 333:13,21,24 334:2, 6 340:23 348:18 353:25 359:9 362:2 364:14 367:2 379:24 383:25 386:8 393:25 396:24 398:14 402:19 404:19 410:25 424:14 431:10 440:19 446:9,25 447:4,22 449:20 454:3 459:7 460:13 461:10,16,25 469:24 470:11 471:22 472:4,7 473:13,14 479:11 480:20,25 484:15 485:24 486:10 497:2,3,12 499:15, 21 500:17,20 501:17 502:6 509:25 510:16 523:2 531:19 532:19 533:3,7 535:5,18 536:2,13 537:19 552:10,13,17,23 554:8,19,22 555:6,9, 11,24 562:24 563:9, 14 564:12,19 565:16,18,23 566:8, 14,17,18 567:7 568:4 570:11 571:19 581:22 582:19 583:13 588:25 infer 276:7 inform 319:1 447:16 information 274:16 318:15,17 332:18 335:2 338:8 366:16 384:16,22 389:18,22 390:3 391:21 392:25 393:4,22 394:13,20, 23 395:3 398:16 403:13 412:3,7,11, 16,18 413:5 420:20 435:6 441:2 442:9 448:9,10 449:2,5,8 451:5,11 452:6,7,10, 12 453:11,17 457:25 466:3 467:11 471:4 497:10,23 544:24 556:9 572:14,15,25	574:10,14,22,24 575:5 580:17,18 581:4,19 582:7,13, 16 583:3,10,18 589:18 599:23 600:15 601:13 informed 323:8 365:8 401:6,9 444:12 597:24 informing 363:14 580:5 infrastructure 481:1 initial 358:22 551:2 575:2,10 initiated 554:11 initiative 341:2,4, 11,15,19 342:8 528:8 542:15 555:16 562:2 initiatives 557:8 580:16 input 454:1 inserts 399:19 insist 309:3 instability 424:5 instance 505:12 instruction 372:8 instrument 291:2 integral 553:23 intelligence 328:10,18 intend 585:9 intended 315:2 489:17 intending 486:18 intent 308:10 402:23,25 423:11,13 487:10 489:16 552:11 553:1 intention 475:14 535:17 537:12,15 interest 357:17	interested 388:17 390:6 392:12 interim 455:9 456:19,21 457:22 458:23 461:18 464:1 469:11 489:10 492:10 493:4 494:4 495:11 501:15 589:12 internal 514:24 570:5 interpret 294:20 interpretation 289:24 294:15 567:15 interpretations 496:1 interrupt 321:1 interrupted 538:13,19 intervals 579:17 intervening 588:16 interview 476:20 introduces 323:20 330:16 introduction 480:23 investigate 502:17 investing 433:2 investment 294:13 312:11 345:25 346:9 569:16 570:3,4 investments 480:19 513:2,11 602:2 invited 500:6 invoke 308:23 involve 286:14,19 involved 274:9 294:17 321:15,19 332:9 368:6 371:6 374:5 375:3 390:13 444:20 475:1,17	476:7 478:5 509:14 524:5 528:7 551:2 567:5 involvement 419:15 550:11,23,24 Ireland 463:9 irrational 581:7,17 582:5 irrationally 300:25 isolated 572:17 issue 276:10 297:10 298:11 301:5 302:11,14 314:15 399:23 433:4 434:14 440:4 451:25 461:1 515:25 569:3 issued 301:5 439:1 issues 282:20 319:25 432:1 485:6, 8 506:2,3,4 594:17 item 276:19 353:11 570:22 571:2 items 378:17 557:14 558:14 574:3 <hr/> <p style="text-align: center;">J</p> <hr/> Jamison 344:25 January 327:20 328:16 337:1,4 338:1 342:5 347:25 350:21,25 351:8 354:9 355:3,13 356:1,2,5 357:24 359:14,25 360:13,24 361:1 363:25 383:11 587:14 Jim 586:10 job 274:5 346:6 387:25 441:17 448:5 460:18 462:11 479:12,16 499:3 509:25 510:15 jobs 338:4,6 339:4, 10,19 346:1,7 384:18 387:13 442:2 458:17,20
---	---	--	---	---

<p>John 470:8</p> <p>join 479:22</p> <p>judgment 403:14, 16 602:4</p> <p>July 270:25 388:6</p> <p>jumps 293:5</p> <p>June 333:1 588:14</p> <p>jurisdiction 326:25</p> <p>jurisdictions 434:23 464:4 558:18</p> <p>justify 531:16 532:17</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Karim 344:18 368:8 493:14 494:10</p> <p>Kathleen 437:17 439:7,24 515:9</p> <p>Keegan 478:20 480:1,4</p> <p>key 271:10 272:21 343:8,12,18 357:25 364:14 396:12,13 510:25 514:21 521:9 527:7</p> <p>kids 560:4 561:3,8</p> <p>kill 449:19 465:1</p> <p>kind 300:9 464:9 472:20 490:3 580:13 596:23</p> <p>kinds 505:25</p> <p>knew 285:14 351:18 352:7 438:4 452:24 462:1 467:24 518:21,23</p> <p>knowing 276:15 442:4 473:8 561:9 585:24 595:16</p> <p>knowledge 519:19,20,24 541:4</p> <p>KORT 430:11,23 431:3</p>	<p>KPMG 302:7 303:8</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>lack 563:5,8 569:7</p> <p>land-based 274:10 329:2 341:12 342:11,16 352:21 367:18 485:11 506:13</p> <p>landing 498:21 559:19</p> <p>landowners 505:13</p> <p>language 315:23 316:16 348:4,25 349:2,5,8,12,13,14 350:6,7 351:1 353:14 364:13 489:15</p> <p>large 302:15 396:20 526:15 584:14</p> <p>larger 396:4,10,25 397:19</p> <p>largest 526:12</p> <p>late 311:3 334:22 359:25 435:4 522:9 523:20 546:24 586:10 587:13</p> <p>latest 399:9</p> <p>Laura 493:10</p> <p>Laurel 426:20 427:4,7</p> <p>lawsuit 298:3 319:10 421:25</p> <p>lawsuits 479:18</p> <p>lawyer 294:16</p> <p>lay 479:24 480:7</p> <p>LCBO 526:14,18 591:24</p> <p>lead 309:11 314:25 315:2 318:18 460:1</p> <p>lead-up 399:5 400:24 579:6</p>	<p>leadership 416:2 521:23 563:9</p> <p>leading 337:8 381:22 399:2 411:20 449:15 500:24</p> <p>leak 598:1</p> <p>leaked 572:15</p> <p>learn 538:5</p> <p>learns 394:12</p> <p>lease 542:25</p> <p>leaving 270:7 280:1</p> <p>led 352:18</p> <p>left 426:22 435:18 438:12</p> <p>left-hand 512:9</p> <p>legal 285:4 289:11, 24 290:6,19,24 294:15 297:9 319:25 393:17 415:7 480:10 542:24 591:9 592:5</p> <p>legislative 502:16, 21,23 503:3</p> <p>legislature 404:6, 15 502:23 520:20</p> <p>legitimate 527:11</p> <p>lengths 467:22</p> <p>lengthy 538:1</p> <p>letter 454:9 489:16 552:11</p> <p>level 278:12,15 285:23 325:22 332:12 437:3 461:14 504:14 506:11 507:12 537:17 555:5 577:9,15</p> <p>leverage 527:11</p> <p>Liberal 427:13</p> <p>licence 549:12</p> <p>licensing 475:22</p> <p>lie 422:6</p> <p>life-threatening 463:19 464:6</p>	<p>light 380:12,19 555:23 579:18</p> <p>likes 542:20</p> <p>limited 587:5</p> <p>limits 390:2</p> <p>lines 356:9 405:15 480:8 593:13</p> <p>list 491:16,17</p> <p>listed 305:16,19</p> <p>listing 557:13</p> <p>lists 357:20</p> <p>Lisus 270:4 271:18, 21,24 272:1,18,24 273:4,15,18,21 274:2 282:21 284:13 285:5,13 287:21 288:3,11 289:5 290:12,20 291:1,13 292:13,23 293:3,8 295:1,14,20 296:2, 19 297:11,16 298:1, 12,19 299:24 300:2, 12,16 301:2,7,11 303:22 305:25 306:19 311:21 313:6 314:6 315:11 318:25 319:9,17 320:2,10, 16,24 321:5,8,13 322:3,8 324:10 327:13,18,24 328:4 330:24 336:11,24 339:2 341:10 343:24 347:5,7,11,17,23 348:11 355:12,25 356:20,22,25 359:19,23 362:17 363:2 364:21,23 368:2 370:9,10 371:23 373:6 374:11,15 377:18,25 379:14,19 380:14,25 381:5 383:3 386:13 390:24 391:4,6 393:18 394:1,8 395:9,15,18,25 396:2 401:25 407:13,17 410:10,13 411:10 415:3,9,18 416:22 417:12,15 421:10 422:14 423:7,17 424:22</p> <p>425:4,24 426:10,17 429:12,14,18,24 430:7,12 431:8 436:5,13,16 437:16 438:14,24 443:7,11 450:25 452:4 453:4, 6 454:7 456:9,17,22 457:3,4 458:10,12 465:12,16 466:1 467:2 468:7,10,13, 14 469:17,20 484:25 485:7,13 487:1,6,11, 19 488:19 491:20 492:3,8,17,23 496:20,23 498:5,8 502:14 508:13,18 511:6,8,12,21,23 512:4 513:24 514:7, 10,15 520:16 523:7 525:12 527:15 528:15 529:10 530:8,13 531:3 532:8,10,12 533:11 537:25 538:10,14, 23,24 539:23 541:1, 6,10,18 542:3,6,7,20 543:1,4,9,12,21,24 544:12,14,19,23 545:2,6,10,14,19,22, 25 546:18,20 547:10,21 548:3,8 550:10,22 551:19 557:4,15 561:14 562:1 563:18 564:8 566:16,25 567:3,24 568:2 569:12,13 571:7,16 572:10 574:17,25 575:8 576:15 579:23 584:20 586:15 587:18 590:19 591:20 593:19,22 594:2,4,16,19 595:5, 22 596:1 597:6 598:4,7,21,25 603:4</p> <p>Lisus's 584:7</p> <p>litigation 511:17 519:18</p> <p>live 407:24 408:12 489:18 509:15 530:22 531:22 560:19 563:6</p> <p>livelihoods 392:22 602:2</p>
--	--	--	--

<p>loan 294:12</p> <p>local 527:19</p> <p>locate 273:3 310:4, 13</p> <p>locating 342:21 506:10 507:21</p> <p>location 367:18 505:19,25 551:14</p> <p>locations 414:17 553:25</p> <p>long 507:11,12 537:8 569:18 571:19</p> <p>long-term 424:11 554:20 560:15</p> <p>longer 278:2 490:10 558:6 560:19</p> <p>longstanding 572:12</p> <p>looked 300:10 302:25 310:2 349:11,14 352:15 490:4,23 548:15</p> <p>loss 305:8</p> <p>losses 441:17 448:5 460:19 462:12 472:8 479:12,16 499:3 509:25 510:8, 15 511:15 544:6</p> <p>lost 426:23 458:18, 20 512:13</p> <p>lot 313:15,24 332:24 352:17 390:10 400:16,19 405:5,22 460:10 502:20 505:1 507:16 572:16,24 573:13 586:24 588:22,23 599:14</p> <p>lotteries 524:24</p> <p>lottery 356:9 376:1 396:20 520:25 523:19 524:21,24 525:13 554:13</p> <p>lottery-style 375:24</p> <p>low 560:3</p>	<p>lower 499:14,21 547:6</p> <p>lucky 479:20</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>Macdougall 528:6</p> <p>machines 310:13 324:15 376:1 397:11,13 483:17,23 507:21 511:14 532:21 533:10 539:9 542:19,21,23 549:9, 19 550:17 593:5,7, 12 594:7 595:8,10, 12,13 596:4,24 597:4</p> <p>made 285:2,18 300:25 319:23 326:21 333:1 348:16 350:3 359:7 365:18 371:6 377:20 381:7, 18 386:24 391:15 392:6,11 394:10,19 395:16 401:12 402:9,14,18,21 403:7,15,17 404:24 406:12 407:2 412:23 413:18 415:6 416:13 417:6,17,23 418:2 423:9 428:19,24 429:5,6 431:14 435:24 437:6,7,19 438:1,8 439:3,25 440:9,22 441:11 445:4,14,22 451:8, 17 452:5 453:10,17, 25 459:25 460:20 462:16 465:19 466:15 470:12 471:7,12 502:19 513:11 561:1 567:4 568:3 574:9 575:1 577:18 578:17 579:5,24 580:4,5,7, 22,23 581:8,18 582:12,22 583:2 584:9,14 585:12 586:18 587:21,24 588:7,14 598:6,9</p> <p>main 300:21</p> <p>maintain 577:18</p>	<p>592:15 597:25</p> <p>maintained 380:5 434:22 442:16 511:14</p> <p>maintaining 376:3,9 377:12 378:5 461:21 593:10</p> <p>major 327:10 501:18 561:17</p> <p>make 270:22 288:5 292:1 304:2 315:22 341:21 348:19,22 352:19 367:21 372:9 380:21 385:14 386:15 389:20 392:20,25 393:14,22 398:19 399:4 402:16 411:20,21 412:1,5,9 415:7 422:11 425:22 435:10 449:2 455:5, 18 463:6 467:4 468:18 470:18 471:2 473:24 494:3 508:13 523:22 532:12 535:19 539:17 547:11 559:19 564:24 573:11 580:8,20 593:2 599:19 600:2,14</p> <p>makes 310:10 324:19 351:3 353:17 403:20 428:18 429:2 599:22 600:21</p> <p>making 294:5 311:10 328:25 330:1 338:7 375:3 386:16 394:22 424:13 437:18 450:1 464:22 471:5 489:4 538:2 561:15 579:6 587:2 588:19 599:12 600:8,11 601:10,25 602:3</p> <p>manage 392:12 447:9 559:12</p> <p>management 283:22,25 284:2,6, 16,17 288:15 289:7, 8,13 290:14 292:14 298:6 300:4 301:16 310:24 450:22 557:8</p>	<p>managing 477:19</p> <p>mandate 352:12, 16</p> <p>mandatory 284:21 296:24</p> <p>manner 324:23 437:6,18 502:18 583:7 602:8</p> <p>March 372:22 381:9,20 392:7 404:10,12 415:13 416:8 441:9,10 443:14,15,16,20 444:1,7,13 445:15 447:15 449:11,15 450:5 453:22,24 458:14 510:22 512:23 515:8 517:13,19 556:4,24 567:12 581:23 582:20 583:14 587:13 588:8,11 597:9,20 598:6,23</p> <p>Marie 528:10</p> <p>mark 296:3,4,14 367:24 371:19 394:1 407:10 438:21 492:3 496:22 529:24 564:22</p> <p>marked 407:16 524:16 552:1 553:4</p> <p>market 328:9,18 414:19 498:20 532:6,20 533:8,23 534:1 535:9 537:23 538:21 539:12 540:22 541:11,25 542:4,9,11 543:7,19 545:7,11,13,15 546:1,6 547:5 550:7, 20 552:18 554:6 555:1</p> <p>marking 430:15</p> <p>mass 464:3 465:5</p> <p>master 538:6</p> <p>material 276:14,20 282:1 300:23 337:3 339:14 350:9 356:2 364:3,7 366:1 371:9 373:11 374:3 375:1</p>	<p>382:13 383:15 451:10 461:13 466:4 468:23 469:2 503:17 543:19 576:12 583:17,19</p> <p>materials 271:11 275:13 291:25 292:3 363:23 373:7 374:6, 19,23 375:3 398:9</p> <p>matter 417:16 516:17 523:19 528:7 533:22 555:20</p> <p>matters 294:18</p> <p>Matthews 273:24 296:4,14 298:13 311:20 322:5 327:14,22 336:20 347:18 355:16,21 362:19,24 367:24 371:19 373:2 374:8 379:16 381:2 394:4 407:10 410:11 430:13,17 438:18 443:9 487:14 492:5, 19 496:22 498:6 502:10 523:9 534:11,15 539:24 540:1 553:6,9 562:18 567:17 591:17</p> <p>maturity 362:4</p> <p>maximizing 528:12</p> <p>Mccann 493:5,16</p> <p>Mcquinty 321:15 372:18 381:8,18 382:1 390:19 391:7 435:24 436:7 468:17 597:15</p> <p>Mcquinty's 410:23</p> <p>Mckinsey 468:6,9, 12,21,25 469:5 478:11,21,23 479:2, 4,7 499:4</p> <p>Mckinsey's 498:23</p> <p>Mcmeekin 431:13 432:2,17 433:5 435:1,13,18,23</p>
---	--	--	---	--

436:18 438:12 454:17 460:2 494:3 Mcmeekin's 493:3,17 meaning 320:8 389:7 means 383:24 388:21 416:19 480:13 585:21 meant 360:25 measured 331:12 measures 572:18 574:21 measuring 393:13 mechanism 310:3 464:19 mechanisms 580:22 media 466:12 meet 287:2 335:14 450:19 555:24 585:10 592:16 meeting 275:17,25 276:4,6,11,14 341:22 347:8 348:1 351:8 355:3 358:2 363:5,8,13,16,18,21, 24 364:25 375:9 379:9,11 381:25 415:12 427:19 435:12 436:20 462:21 468:17 500:5 504:14 586:2 meetings 275:21, 23 358:10 361:13,15 469:25 470:2 meets 579:21 member 470:8 568:3 members 470:5 588:19 memento 270:15 Memorandum 307:16 571:8 memory 462:22	mention 524:19 528:15 mentioned 314:3 410:18 434:6 491:23 495:5 558:23 message 431:10 messaging 374:2 493:20 514:21 517:3,4 met 465:25 478:21 479:7 metrics 361:25 Michael 479:22,25 480:1 523:18 mid-december 331:19 middle 324:11 358:18 375:15 MILAT 273:23 523:11 565:3,6 Miller 493:10 million 316:21,22, 25 325:4 331:7 335:5 341:24 350:23 354:21 358:22 359:16 362:3 365:11 366:23 367:1 376:4, 9 377:13 378:6,16, 23 459:6,12,13 460:14 474:1,4 475:19 479:19,20 480:18,21 488:2,6 492:13 494:16,22 499:5,6,12,20,24 512:23 513:19 514:1,5 516:11 531:17 532:6,17 540:11,16 559:3,22 560:1,15 561:4 589:16,25 590:4,13 mind 313:1 368:8 403:22 487:18 minister 270:24 271:1,3 274:5 285:7 291:17 292:5 301:13 309:6 321:20 322:23 325:21 329:14 331:10,19 334:22 337:4,18,19 345:4	360:8,9,11 368:11 369:5,13,21,22,25 370:3 371:7 372:18 376:16 377:1,20 378:7,21 379:2 381:7,17 382:1 383:22 390:19 398:19 399:12,23 400:13 410:22 416:11,15 417:25 426:21,25 427:2,7, 10,15 429:1 430:4 431:9,12,15 432:3, 17 433:5 435:13,22 436:6,7,17 438:5,12 440:2 449:17 454:17 459:25 460:2 468:16 470:22 471:8,13 493:3,17 494:3 515:8,10,14 517:5, 14 518:8,20,23 529:14 573:22 575:22 576:3,18 586:9,10 589:4,8 590:9 minister's 322:21 368:12,14,24 372:4, 25 377:18 385:4,7, 10 386:19,20,25 387:1,7 399:10,14 408:24 409:16 410:7 415:11 416:25 444:16 520:2 575:20 576:1 597:22 ministers 357:19, 20,25 358:4,8 360:18,19 361:5,8 425:15,18 429:1 442:25 572:14 ministries 292:3 306:13 307:4 309:20 317:2 351:23 392:12 452:21 512:2 586:25 ministry 275:8 282:5 299:3,4 303:2 304:2 306:11 307:1, 17,18,23 308:15 309:19 318:18 328:15 334:18,24 336:3,8,18 339:4 353:12 355:6 357:18 361:8 370:17 371:1 384:17 386:23 389:10 398:7,10,12	408:8,21 409:16 424:6 430:22,24 431:6 447:16 449:4 455:6,12,14 458:4, 15 459:22 466:4 467:19 474:23 477:20,22 486:12 487:22,25 488:12,21 490:2 492:11 502:7 509:22,23 510:13,14 511:19,24 512:5 513:17 514:18 531:5 534:4 540:5,6 547:22 548:4,9,11, 18 554:4 556:18 557:22 559:1 561:11 563:13 571:9,22 572:1,5 573:20 574:21 576:4 583:3, 9 589:21 ministry's 319:4 448:4 512:7 minute 275:14 276:8 293:15 306:2, 7,22,25 308:2,14 309:9 311:6,11,17, 18 346:11,12,16,18, 20,21,22,25 347:2 364:24 382:12,15 383:4,10 466:10 491:13 556:2,7,11, 15 584:1 587:24 minutes 291:25 342:13 478:10 mistake 450:1 mistaken 360:22 mitigate 305:3,8 mitigated 501:21 MO 368:10 370:18 408:7,20 model 362:8 moderate 399:22 modernization 274:17 276:2 280:21 329:1 341:14 342:10 356:8 367:17 377:3 388:19 396:4,7,10, 16,20 397:2,4,6,19, 23 415:23 443:20 483:12 484:10	485:9,14,15 502:17 503:10,16,21 504:11 506:15 521:1,12 528:8 542:15 552:7 555:16,23 566:21 598:9,22 MOF 307:1 368:9 409:1 moment 305:23 328:2 338:21 341:6 495:7 520:11 543:25 583:21 590:13 Monday 399:10 407:25 408:2,13,15 409:10 money 279:17 291:3 294:2 301:20, 23 302:2 313:16 353:9,22 482:11 483:7,8,13,19,22,25 484:3,4,6 485:5,16 499:17 525:24 526:4,17 527:9 528:24 546:15 550:9,15,19 551:12 559:7 560:6,18 566:22 568:21 569:4 570:9,13,19 596:20, 22 monies 302:3,9 monitoring 296:25 521:14 562:11 585:6 monopoly 527:11 month 342:3,4 months 273:11 307:15 423:1 427:25 469:23 587:11 moratorium 564:3,7,10 Morin 344:24 morning 274:4 435:8 479:23 Morris 316:5 motion 300:21 301:9 520:22 MOUS 273:6,12
--	---	--	---	--

<p>move 303:20 452:2 552:14,24</p> <p>moved 585:14,18 589:10 590:5</p> <p>moving 347:24 376:11 486:20 574:2</p> <p>multiple 415:5</p> <p>multiyear 507:23</p> <p>municipal 383:23 503:22 506:9,22,24 507:2 554:2</p> <p>municipalities 342:21 353:25 507:4,10 509:2 521:19 522:1,13,22 525:4</p> <p>municipality 505:5,24</p> <p>must-do 558:14</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>narrower 571:22</p> <p>Nations 525:5</p> <p>natural 475:3 529:19 580:14</p> <p>nature 303:4 320:18 484:20 546:25 580:12</p> <p>NDP 459:5 494:23</p> <p>necessarily 401:5 426:3 477:20 533:18 547:24</p> <p>needed 349:25 350:4 438:3,7 482:15 500:21 552:24</p> <p>needing 408:4,17</p> <p>negative 414:11 434:9 557:19 558:19 603:3</p> <p>negatively 312:7 472:5</p> <p>negotiate 499:14 505:22</p>	<p>negotiated 499:22 512:19 536:5</p> <p>negotiating 545:9 577:21</p> <p>negotiations 474:19 475:1,4</p> <p>neighbouring 434:23 505:12</p> <p>net 281:2,13,16 346:1,6 353:23 432:25 441:6 442:2 484:9 510:11 524:23 527:17 536:8 549:19,25 550:16 595:20</p> <p>newly 512:18</p> <p>news 417:23 418:4 424:9</p> <p>newspaper 449:20</p> <p>night 361:24 447:14</p> <p>nightmarish 464:9,10</p> <p>no-confidence 459:5</p> <p>nongovernment 592:13 594:9</p> <p>nonlegalistic 596:19</p> <p>nontax 526:13</p> <p>nook 352:16</p> <p>normal 581:2</p> <p>North 558:18</p> <p>northern 580:1</p> <p>Northlander 466:16,19</p> <p>not-for-profit 525:8</p> <p>note 322:17 416:3 562:6</p> <p>noted 499:25</p> <p>notes 388:2,3 394:2 415:11 517:18</p>	<p>notice 275:1 368:16 369:1,15 373:20 436:9 468:1 490:17 556:19 565:16 581:25</p> <p>noticed 270:7</p> <p>noting 385:13</p> <p>notion 489:22 490:2</p> <p>November 271:9 332:22 333:2</p> <p>nth 447:10</p> <p>number 273:23,25 292:12 296:7 301:22 306:16,20,21 313:9, 14 325:14 329:2 332:17 339:13 350:12 351:25 353:8 357:20 358:7 367:20 383:5,6 398:5,9 402:11 407:20 429:7 438:20,21 448:4 450:21 455:19 457:13,14 460:25 472:14 473:1 482:16 499:25 501:3,5 510:4 525:23 542:17 548:13 558:7 559:18 561:22 562:1 564:4, 14 565:2,4 567:17 574:3,17,20 577:17 584:13 590:24 596:7 597:4 600:11</p> <p>numbers 271:19, 20,22 432:9 441:6 495:24 510:9 536:11</p> <p>nutshell 480:17</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>object 285:3 538:3 546:21</p> <p>objection 290:18 347:20 355:23 393:16 411:8 438:22 450:12 456:5,10,11, 25 484:22 594:15</p> <p>objective 407:25 408:13 530:21 531:21 533:20</p>	<p>571:21,22 579:21</p> <p>objectives 555:23 556:6,8 600:11</p> <p>objects 401:2</p> <p>obligation 488:8</p> <p>obligations 592:16</p> <p>observe 292:1</p> <p>observers 414:24</p> <p>obtain 310:23 532:6,20 533:9 549:9</p> <p>occupied 512:20</p> <p>occur 294:7 472:1 575:6 587:25</p> <p>occurred 588:1</p> <p>October 333:2 498:12 564:6</p> <p>odd 475:19 510:8</p> <p>OEP 432:24 444:2</p> <p>offer 285:24 427:22</p> <p>offhand 304:22 317:7 454:10,12 495:24 507:14 547:24 570:21</p> <p>office 271:3 322:21 330:12 340:5 344:2, 5,17 346:4,7 348:22 349:7 360:4 363:15 368:12,14,25 369:3, 4,5,6,13 371:1 372:2,4,25 385:10 386:20,25 387:2,7 408:8,22,24 409:16 410:7 420:22,24 424:18,21 426:1,5, 12 430:4 436:22 440:14 441:9,15 444:16 450:4 460:8 471:12 477:19,20, 23,25 493:1,6,12 499:19 515:22 519:15 524:5 528:17 529:17 557:22 597:22</p> <p>office's 502:22</p>	<p>officer 496:8,11</p> <p>offices 381:14 382:6 385:18,21,24 528:9,22 529:4</p> <p>officials 281:6 282:6 308:15 344:1, 12 345:6,8 385:10 576:22 579:15</p> <p>OLC 290:2</p> <p>OLG 271:4 274:11 276:2 280:19,20 281:1,2,8 290:3,4 299:1,2 302:6,7 303:3,13 304:1 306:12 307:2 310:1, 19 323:4,10,15 324:3,15,16 328:8, 17 329:18 330:9,11, 14 331:10,22 332:9, 21 333:19 334:1,23 335:18,20 341:13 342:10,13 346:8,9 352:22 376:14 377:3,22 385:15 388:20 391:23 396:4,15,20 397:19 406:25 409:1,6,16, 20 410:11,14,17 414:3, 10 415:14,23 416:6 443:19 449:13 453:25 468:2 470:25 475:21 478:24 484:7,9 504:2 506:18 508:24 512:18,21 513:3,17 521:11,21 522:19 525:25 526:8 527:10,15,19,22 528:3,7,9,22 529:4, 7,15 533:9,23 537:22 538:21,23 539:3,8,12 540:21 541:11,25 542:15,22 544:7,10 546:5,9,14 547:5 549:8,18 550:7 551:12 553:23 555:19,22 556:3,18 557:2 566:21 591:1, 24 592:20,23,24 593:3,7,10,17 594:13</p> <p>OLG's 281:13,16</p>
--	---	--	---	--

385:18,21,24 386:5 388:17 396:7 397:22 410:20 413:23 416:1 502:17 513:25 525:20 526:18 528:8 550:3 552:7 555:16 590:22	Ontario's 316:19 317:5,15,25 319:18 320:2 525:14 557:5 558:13 559:13 563:2	optimistic 479:9 506:16 566:7,13	366:7 383:15 390:22,25 395:12 401:23 405:14 407:18 415:5,10 421:8,23 438:19 451:21 465:14,18 470:16 474:18 485:1 508:12,14 544:20 566:18 567:4 568:3, 10 590:20 598:11 599:19 603:4	paid 291:7 300:8 301:15 302:3 472:6 476:3 513:19 514:2 527:17 536:18 539:3 544:11 593:15 594:5,11
OLG1359 327:19	ONTC 466:15 580:3	option 335:7 346:14 474:2,6 505:4	Orsini's 454:6 564:25 567:12	panel 451:3,24 452:14,16,18 454:14 455:7,9 456:19,21 457:8,16 458:18 459:17,23 460:2,12, 17,22 461:2 462:3, 14 464:1,16,24 465:21,25 466:6,18, 21,25 469:6,11,24 470:2,5,8,11,17,21, 25 471:7,17 473:12, 25 474:16 477:14,21 478:1 484:18 485:24 486:3,19 487:3,22 488:1,22 489:15 492:10 494:4,22 499:18 588:12,13,19 589:3,6,7,19
OLGSB0001359 336:23	opened 494:19	options 272:10 274:23 275:3,6 279:18 280:14 281:12,14 282:17 305:6 311:25 325:14,19 342:23 367:19,20 376:16 411:19 467:22 573:21,23 576:25 577:2	Oshawa 529:19	panel's 457:22 461:18 471:10 489:4,10 501:15
OLGSB0001360 336:23	operate 392:4 568:22	ORC 277:15 278:4, 6,10 307:11,17,19, 25 329:8,11,19 424:13 432:10 444:19 448:11 454:2 468:3 470:25 563:1 565:16 567:13,21,25 568:3,5 569:22 570:2,9,13,17,24 571:2,8,17 572:8 597:12	others' 399:13	paper 451:18
OLGSB0002315 327:16	operated 524:25	ORC's 562:2,6,12 567:14 570:10 571:6	Ottawa 504:21 507:25	paragraph 282:14 306:17 324:8 503:14 512:9 552:5
OLGSB0002316 327:17	operating 302:7 303:3,13 484:20 490:20 527:20 592:8 593:17 594:6,7,13, 22 600:17	order 290:13 348:22 354:1 561:17 586:7	outbreak 463:11	parameters 399:2
OLGSB2315 327:15	operation 525:3, 20 537:3	organization 285:20 286:2 294:3 375:6 535:5	outcome 363:15	Pardon 304:13 356:20 532:9
OLGSB2316 323:5	operational 569:3	organizations 525:8 591:5 592:4, 13 594:9	outlined 552:10	Pari-mutuel 277:21 278:22 307:8 327:5 362:11 367:3 369:17 380:5,11 461:22 480:22 490:16 549:1 570:14 578:10,20
OMAFRA 470:14 477:23 529:20 586:19	operationalize 397:5,10	order 290:13 348:22 354:1 561:17 586:7	outlook 557:19	part 270:19 279:15 283:4 287:1 294:23 295:25 299:13 300:21 301:2 305:2, 11 308:4,9 311:19 317:17 328:15 329:6 330:3 336:19 343:7 349:10 353:4 354:4 377:4 380:2 381:15
one-year 275:1 368:15 369:1,15 432:7 576:19	operationalized 396:14	organization 285:20 286:2 294:3 375:6 535:5	outreach 452:20 586:19	
ongoing 278:24 329:8,11 340:21 342:19 370:19 488:5 492:13 494:15 563:4	operationalizing 396:25	ORC's 562:2,6,12 567:14 570:10 571:6	overly 503:11 506:16 521:11	
Ontario 297:17 298:2 306:12 307:2 317:20 326:23 327:8 334:17 345:25 417:8,23 424:6 427:14 444:11 447:4 457:11,19 458:25 466:16 489:20 490:22 497:2,12 520:24 523:18 524:1,6,13,21,24 525:5,13 526:13,25 527:2,3,10 530:6 531:1 532:1 554:13 555:4 557:16 558:5 559:21,22 560:5,14 561:2 562:3 564:5 571:25 584:6,9 585:14 586:6,20 600:1 601:18,21,23	operationally 406:25 409:7,20 410:1	ORC's 562:2,6,12 567:14 570:10 571:6	oversight 431:7	
	operations 312:11 450:24 504:5 513:13 535:7 570:6 592:16, 23 593:11	order 290:13 348:22 354:1 561:17 586:7	overview 562:23	
	operator 505:23	organization 285:20 286:2 294:3 375:6 535:5	owners 421:15 422:6 423:4 428:3 461:5 463:19 464:6, 19,25 511:13 512:10,12 569:17	
	operators 483:3 484:15 556:21 568:16,17,19 569:2	organizations 525:8 591:5 592:4, 13 594:9	owners 421:15 422:6 423:4 428:3 461:5 463:19 464:6, 19,25 511:13 512:10,12 569:17	
	opinion 481:25	organization 285:20 286:2 294:3 375:6 535:5	oversight 431:7	
	opportunities 504:25	orient 322:1	overview 562:23	
	opportunity 291:11 554:4,19	original 505:9 549:22,23	owners 421:15 422:6 423:4 428:3 461:5 463:19 464:6, 19,25 511:13 512:10,12 569:17	
	opposed 462:6 528:11 547:9 579:14	originally 474:9	package 275:13 276:20 307:15 367:8,14 383:20 553:4 562:15 578:17	
	opposite 524:3	origins 459:14 503:1	pages 270:8 271:24 287:25 292:18 293:10 296:7 382:16 393:1 488:20,21 538:7 557:13	
	opposition 505:20,21	Orsini 270:2 290:22,24 291:2,16 294:15 296:8 298:21 300:5 315:5 338:20		

396:15,24 397:1,7 398:17 401:21,22 406:10,13 411:22 429:6 448:23 450:13 458:8 488:8 489:10 500:10 526:22 529:18 539:5 542:14 548:25 549:17 552:7 555:14 578:16 580:7,14 581:2 582:2,24 583:1 587:7 591:23 593:15	pay 468:19 475:18 526:4 527:3 533:8 544:10 545:1 549:18,20 571:4 602:18 paying 537:23 538:21,23 539:12 540:22 541:11 546:9 547:5,6 payment 283:10, 17,23 284:1,15 288:16,21 289:9 290:15 291:3,8 292:13,15,20 293:10 295:7,17 296:5,12, 21 297:3,8,21 298:5, 13,16 299:4,9,14,20 301:17 303:15,20 309:21 310:3,20,25 311:4,11 320:19 324:18 340:21 350:23 354:21 376:10 513:22 535:4 536:11 544:20 payments 281:9 283:21 284:3 285:1, 14,17 286:14 290:15,22 292:9 293:19 295:2 297:19,20,21 298:4 300:3,9 301:15 304:3,9 324:1,6,19 325:5 331:7 335:6 341:24 358:23 359:17 365:11 366:24 410:22 513:25 514:2,5 527:16,20 543:20 545:17 546:16,17 547:5 pays 525:25 542:1 551:12 PCS 421:14 pending 370:19 416:16,23,24,25 pensions 271:2,4 people 287:14 292:2 319:14 332:9 340:5 343:25 344:4 346:20 369:4 387:6 389:9 390:1 406:11, 18 411:6 452:19	464:8,13 500:11 509:13 527:19 536:21 560:18 561:21 563:20 572:21 573:1 587:6 589:3 597:4,5 599:7, 25 601:18,21,23 602:10 people's 392:22 510:24 602:1,4 percent 471:25 472:12,14,19,24 473:5 493:7 501:24 502:1 509:20 511:1, 16 512:17 527:17 536:8,18,20 537:2 540:12 549:18,25 550:16 551:7 595:7 percentage 595:2 performance 329:9 period 274:25 279:4 304:4,12,17 318:13 368:16 369:1 373:20 404:16,23 424:4 452:15 494:18 561:6 575:9 578:17 588:16 permanent 346:1, 7 permitted 600:7 person 515:9 personal 294:19 560:20 personally 454:20,24 562:11 perspective 526:16 peruse 348:10 Peter 344:22 361:24 362:22 Peterborough 529:20 PFP 516:6 ph 344:24 463:1 phase-out 279:7, 13,21,25 280:14	282:8 305:8 312:5 322:10 325:16 335:5 336:4 372:20 576:19 phased 274:24 279:3 305:2 341:23 359:15 467:19 phased-out 391:9 phasing 467:22 Phillips 333:25 410:15 412:21 414:9 504:6,17 506:8 Phillips' 332:21 591:18 phone 432:10 444:12 picture 405:18 piece 366:15 405:19 406:1 place 274:13 286:4 294:21 299:10,14,20 304:19,20 310:20 311:11 395:8 490:21 587:17,20 placeholder 357:14 plaintiffs 291:5 plan 280:21 309:13 323:21 330:17 377:3 389:12 395:7,19,21 396:5,7,11,12,14,20, 25 397:2,4,6,7,19,23 398:18 479:24 480:7,9 502:17 503:10,16,21 504:11 516:9 521:1,12 598:9 plan's 506:15 planned 276:11 403:11 560:7 plans 274:17 424:14 play 320:1 594:17 played 589:5 players 586:22 playing 596:3	pleadings 298:10 pleased 450:23 plugged 435:9 point 303:24 307:11 309:5 325:7 326:21 327:9 330:19 334:8 341:21 342:20 356:12,19 359:25 366:4,8,13 370:12 374:1 375:22 378:2 380:15 384:10 386:2 411:23 448:18 467:6,8 498:15 500:21 517:5 529:13 534:8 538:11 556:13,17 567:2,3 568:1,2,24,25 575:17 589:15,24 590:6 593:2 pointed 325:13 498:3 pointing 271:12 points 305:15 348:22 357:5,9 383:22 385:5,8 386:19 422:17,21 546:10 policy 284:16 307:19 319:22 330:1 338:4,6 339:5,11,19 346:4,7 372:8 387:22 388:4,11 425:6 440:14 441:9, 16 450:5 481:10,17, 19 482:1,7 527:24 528:2,25 529:8,21 551:22 552:22 553:1 556:1,6 564:4,12 policy-based 528:11 political 365:4 409:15 418:20 419:9,24,25 420:3,6, 8,10,11,13 421:18, 22 422:2,7,8 423:11, 12 425:7,8,10,13 426:6 427:14 428:8, 11,12,17,20 429:19 430:4 459:22 471:7 477:22 480:10,15 498:17 534:22
---	--	---	---	---

579:2,14	preconditioning 398:22,25 399:14 400:16 401:2,10 402:7,20 418:1	preparing 276:14 388:10 575:21	principally 592:11	produced 373:8 398:8 478:12 543:1 548:1 565:21
Politically 481:3	predation 465:9	prerogative 598:13	principle 569:14	product 552:19 563:7,24
portfolio 329:15 567:5	predecessor 438:4	present 292:3 357:10 405:17,19 406:22 518:24 572:24 590:13	principles 569:12, 22	production 273:9, 11 370:19 543:5,17 544:13 545:19
portion 353:23 547:7	preference 378:22	presentation 374:6 470:12 500:4 567:13	print 343:19 404:4, 18	productive 565:24
portions 524:1,10	preferred 360:11 576:18	presented 306:7 329:20 335:10 338:23 339:25 441:3 485:24 486:12 574:23	printed 404:15	products 375:25
position 289:25 291:4 295:4,12,19, 21 297:12,17 298:3 319:9,18,21 320:2,5, 16 321:6,9 376:18 379:4 395:15 427:23 481:14 543:10,19,22 558:17 585:14 590:6,14 597:17	Premier 327:21 328:1 344:2,3,7,24 360:1 363:5,6 365:1, 8,17,22 366:10 372:18 381:8,18 426:13 436:3,21 439:8 515:7,12,13 517:4,14 518:9,13, 15 576:18	presenters 357:9	prior 275:16,25 336:3 342:1 376:8 395:2 405:19 453:21 473:15 474:12 501:17 584:16 598:19 599:2,5	professional 454:25
positioned 377:8	Premier's 330:12 340:4 344:4,17 360:4 369:4 371:1 372:3,25 420:22,24 424:17,21 425:25 426:5,12 460:8 471:12 477:19,24 493:1,6,12 494:1,21 499:19 515:22 517:20	presenting 340:8	priorities 561:14 571:7	profile 270:21 271:5 327:3,8
positioning 373:17	Premier/minister 515:17,21	press 417:17 434:9	priority 348:23	profit 302:8 303:14 376:14 377:22 528:12 595:11
positive 442:2 603:2	premise 329:3 485:11	pressure 391:22 488:6 492:13 494:9, 12 499:25 586:5,7	private 345:24 346:8 505:23 527:22	profitability 595:13,15
positively 482:6	prep 337:18,20,22 338:1 339:9,25 340:3 344:4,11 363:24 364:3 460:9	pressures 554:24	privatizing 466:16	program 274:13 278:3 279:3 282:7 283:10,18,20 284:16 287:15,16 288:18 289:10 295:6 297:6 302:19 307:7 309:21 311:11,14 312:5 313:12,21,23 314:2 315:16 317:14,21 319:5,11,19 320:4, 13,19,20,21 321:17, 21 323:20 340:20,21 341:20 349:16 350:17 351:10 352:17 353:15 360:12 362:3,7 367:19 373:19 376:4 377:12 378:6 408:3, 16 409:5,18,24 421:17 422:5,21,24 423:1,2 424:7 427:25 428:1 439:12 443:21 444:20,21 449:19 462:2 491:10,22 508:4 509:4 510:2,17 512:16 516:17 517:8,16 518:2 519:5 521:3 522:24 523:3 530:22 531:6, 8,10,18,22 532:18 534:2 536:4 539:19
possibly 421:1 424:22 438:2	preparation 450:16 524:5 573:24	presume 275:15 280:5 332:14 349:21 369:24 372:7 375:3, 10,13 390:16 394:14 401:1 436:22 472:15 480:1 497:9 515:14 516:4	privilege 543:16	
postdated 453:3	prepare 581:11	presuming 337:13 505:5	privy 287:16 536:7	
posting 424:14	prepared 308:15 328:1 339:6 361:23 388:3 407:6 439:7 504:20 509:24 510:14 514:20 517:17 530:20 534:4 543:8 562:15 577:1	pretty 333:25 400:3 452:16,19	problem 525:5 566:15 569:23 586:17	
postings 424:16	prepares 385:7	previous 431:2 552:10	proceed 490:15	
potential 274:12 276:2 299:12,13 450:23 585:8		previously 270:2 383:10 436:12	proceeded 573:18	
potentially 510:9		price 499:14,21 534:1 549:19 550:2	proceeds 595:18, 25 596:16,17	
power 591:10 592:5		prices 472:6,12,15 501:23,25	process 279:16 317:19,23 329:17 331:18 332:3,9 335:13 342:10,15 346:17 357:24 359:7 383:23 387:17 389:4 390:8,12,14 393:19 411:13,23 436:19 437:9,21 450:14,16 488:10 490:12 507:1,5,9,11 517:22, 24 519:7 552:8 572:16 573:20 574:4 580:7,14 589:10 602:8,11	
practical 404:3		primarily 548:21	procuring 547:9	
practice 353:22 392:16 586:14		principal 344:23 493:12	produce 309:13 319:5 543:8 546:2	
preamble 564:11				
precise 314:17 438:10				
precondition 401:3,11,14,22 402:7				
preconditioned 400:21 401:7				

<p>550:4,11 551:2 553:23 554:18 556:23 560:7 562:3 577:20 578:12 580:25 586:2,4 592:25 594:12</p> <p>program's 318:10</p> <p>programming 316:24</p> <p>programs 272:6 278:4 286:24 287:5, 13 310:25 311:4 316:20 317:1,6,8,9, 15,25 318:3,7,22,24 352:1 353:9 393:15 483:21 484:2,12 491:7 510:24 525:6, 14 526:21 547:23 548:4,9,11,18,21,24 571:4</p> <p>progress 469:24</p> <p>project 271:10 272:3,5,9,20 317:10, 11 430:8 491:1,23 547:22,23 548:9,24</p> <p>projections 506:15 521:13</p> <p>promising 570:2</p> <p>promote 489:18 530:22 531:22</p> <p>promoted 388:20</p> <p>promotion 387:25</p> <p>pronouncements 562:7</p> <p>proofs 287:4</p> <p>prop 531:18 532:18</p> <p>proper 449:2 597:2</p> <p>properly 319:23 393:13 412:14 439:13 453:8 465:4 508:25 517:9,16 518:3 519:5 522:19</p> <p>proponent 361:8</p> <p>proposal 281:7 288:24 305:5,22 311:16,23 323:10, 15,16,18,24 325:10</p>	<p>329:7 340:13,16,18 354:19,23 355:5,7 356:6,7 357:8 366:16,18 367:1 385:18 386:5 387:8 415:22,25 416:10 504:4,12,14 506:13 554:3</p> <p>proposals 280:10 315:23 328:8 331:22 338:8,9 506:18 579:17,18,20 589:22</p> <p>proposed 277:2, 14,24 278:1,11 279:6,25 281:24 296:10 298:22 299:8 306:7,11 309:21 310:25 311:3,5 316:15 323:3,4,5 324:14 325:17 330:7,15 332:5,16 335:10 338:12,18 345:13 346:11,12,16 357:25 358:18,20 359:10,12,15 361:6 382:4,7 392:17 393:7 399:9 516:9 556:15</p> <p>proposes 279:2</p> <p>proposing 279:12 305:2 316:7 324:21 331:14 336:7</p> <p>proposition 490:5</p> <p>prospect 465:1</p> <p>protected 587:16</p> <p>protecting 569:17</p> <p>protection 559:2</p> <p>provide 272:19 273:12 285:24 289:25 294:15 298:1 299:3 321:3 340:21 349:5,20 350:6 388:21 393:24 455:6 459:6 494:14 501:16 530:12,24 531:24 554:18 556:19 567:1 569:15 577:25 589:22</p> <p>provided 277:3 278:23 319:14</p>	<p>320:7,10,12 384:16, 23 464:14 491:2 510:5,7 582:13,23 583:17</p> <p>providing 338:10, 25 353:23 419:2 470:20,24 524:2,3 578:25 579:12 589:5 594:8</p> <p>province 286:15, 19 327:1,2 345:21 353:10 388:22 450:18 489:18 508:24 522:19 526:13,24 527:1,12, 13 555:20,22 557:18,21 558:17 571:25 584:5 585:4, 17,18,19 586:1,3,9</p> <p>provinces 435:11 585:15,22,25</p> <p>provincial 277:20 309:11 316:17 319:19 516:15 522:4,8 524:23 569:8</p> <p>provision 514:6</p> <p>provisions 462:16 554:12</p> <p>précis 503:8</p> <p>public 270:21 271:5 294:24 357:17 364:14 365:5 392:6 400:24 416:13 418:23 420:9 426:13 437:18 481:10,17,19 482:1,7 483:24 484:5 520:21 527:6, 14 529:21 551:19 554:7 562:6 575:20 579:16,19,22 581:10 598:24 602:6</p> <p>publically 443:13 449:18 467:9</p> <p>publicly 417:6 437:6 444:6 466:12</p> <p>published 557:12</p> <p>pull 487:17 534:12</p> <p>pulled 441:1</p>	<p>558:10</p> <p>pulling 558:8</p> <p>Punitive 511:21</p> <p>purchase 294:8</p> <p>purpose 300:22 301:7 318:13 346:15 401:10 411:5,12 532:25 533:17 539:15 547:8 571:17</p> <p>purposes 338:7 374:3 395:25 402:19 421:24 481:16</p> <p>purse 569:5</p> <p>purses 554:24</p> <p>pursuant 284:2 285:2,18 295:6 302:19 307:18 311:13 317:19 318:7 319:18 324:18 514:5</p> <p>pursue 543:14 546:1 568:20</p> <p>purveyor 563:24</p> <p>purview 414:21 420:9</p> <p>push 563:24</p> <p>pushed 375:5</p> <p>put 292:11,12 299:14 301:8,9 304:19,20 305:6,21 311:11 323:10 331:22 346:18 353:13 389:13 391:22 395:7 426:12 434:21 441:10 456:5 457:25 463:12 466:4 476:14 515:6 524:11 525:13 533:10 538:3 539:8,23,24 542:8 546:22 553:6 557:18 574:12 575:8 576:23 587:17 598:5</p> <p>putting 308:1 310:19 335:25 336:4 424:18 451:20 456:25 463:11</p>	<p style="text-align: center;">Q</p> <hr/> <p>Q1 458:25</p> <p>Qs 383:22</p> <p>qualify 334:7</p> <p>quantify 546:16 547:7</p> <p>quarter 273:8 461:9,20 475:8 509:14 516:16</p> <p>Quebec 326:5,7, 12,18 327:8,11 333:17 334:6,17 497:2,11 498:1</p> <p>question 280:6 281:4 282:4,22 285:4 287:20 289:11 290:19,25 293:16,17 295:13 297:2 300:14,15 302:1,17 303:17,19,21,23 319:16,17,24 321:2 331:16 334:9 366:22 369:19 378:10 381:16 384:18 393:5,17,19 394:9 400:18 401:19 403:13 422:15 426:8 429:17,23 434:13 436:15 453:13 462:3 463:25 467:25 474:21 487:13 488:25 489:9 518:7 519:1,2 530:16 531:14,15 532:3,8, 10,16 533:13 537:25 538:11 539:19 541:20 543:3,6 546:19,22 547:14 550:14 551:4 562:11 581:13 587:18 594:1,20</p> <p>questioning 432:18 546:1</p> <p>questions 292:2 298:21 314:5 384:17 386:12 407:1,7 409:8,14,21 410:1 415:5 426:15 458:10 465:13 514:11 523:7</p>
--	---	--	---	---

525:17 530:17 534:9 538:3 541:6,7,16 542:9 547:21 562:2 583:24 584:6,8 586:15 590:18,20, 21,24 593:20 594:3	519:5 521:3 522:24 530:22 531:5,8,18, 22 532:7,18 534:2 542:22 556:21,23 577:20 592:25 594:12 595:14	552:9,18,23 554:8 555:3 562:3,23 563:3,7,14 564:5 567:7 571:18 577:9, 15 578:22 580:12 581:22 582:19 583:13 586:20 588:24 596:4,25	458:8 465:12,17 466:23 469:14 484:23 485:4 486:23 487:17 488:17 491:2,12 496:12,16, 17,18 508:8,16 511:6 520:11 565:1, 4 583:25 584:3,5,20, 22 585:1 590:18 594:15 598:3 599:16	reads 400:3 ready 407:1 409:4, 7,17,21 410:1 reality 367:6 558:12 560:9,23 realized 561:23 reallocated 442:11 reason 296:2 298:20 334:18 402:5 409:25 440:21 448:20 449:1 463:24 464:22 reasons 397:18 reassure 435:11 recall 272:2,4,5 273:15 274:22,23 276:13 279:11,20,24 280:23 281:22 282:5,9,11,15,23,24 283:1 304:25 307:21 310:1,6,21 311:22, 24 312:1 313:20 315:6 317:16 321:18,22 325:9 326:11,16 336:17 339:24 348:12,13, 14,16 349:23 350:19 351:11,13 353:16 354:8,15,22,24 360:10,14 361:11 362:14 363:8,10 365:3 368:23 369:20,22 370:2 371:13,17 375:11,12 379:8,10 381:6,16, 21,23 385:25 386:16 387:24 404:9 424:8, 9,12,13,16 428:6 431:11,20 432:17,20 437:8,10,14,17,20, 21,22 439:5,16 441:3,5 443:12,23 445:17 448:2,24 449:22 454:10,12 455:12,15,24 456:2 459:1,19 460:3,15, 25 461:1,2,6,18 469:8 472:25 473:21 474:8 476:8,9 479:4, 5 481:18,24 482:23 483:9 486:5,7,14
quick 434:6 quickly 280:3,6,12 388:19 389:5 390:7 452:17,19 486:20 500:9 505:4,6 574:2, 5 589:10,11 quiet 514:10 quo 481:5 quote 501:4	racetracks 290:5 310:5,14 324:15 351:20 397:8,11,13 398:5 448:5 458:2 475:18,19 476:3 483:17 484:5 510:8 512:14,16,21,22 513:3,6,15 527:18 532:21 536:4,6 539:4,9 542:17 544:5 550:8,21 554:15 555:7 563:19 567:23 568:12,16 577:22 593:1,4,12 594:14,24	radically 427:24 radio 418:7,9,10, 13,16 419:13 426:12 427:6 428:7 430:13 476:20,24 477:8 raised 334:9 465:24 485:5,8 586:10 587:18 raises 298:10 527:14 ramifications 445:6 ran 419:5 range 457:17 rapid 452:15 Ratcliffe 271:23 272:18,21 273:1,13, 17 282:12 284:9 285:8 287:19 288:9 289:3 290:8,23 291:10 294:14 295:3,8,16,22 297:12,13,24 298:7 299:21,25 300:1,12, 19 301:4 303:16 305:23 306:17 315:5 319:1,7,10,13,21 320:5,12,25 321:2,7, 10 324:8 328:2 330:19 338:20 341:6 343:20 348:7 356:18,21,23 377:16,19 380:2 382:25 390:21 391:2,5 395:9 396:1 401:18 411:9 415:3, 16 416:20 417:10 421:8 422:9 423:5, 15 424:20,24 425:20 426:9,14 429:12,16, 20 430:8,9,20 436:1, 10 437:12 450:20 451:16 454:5 456:19	rate 532:6,20 533:8 535:9,25 537:23 538:21 539:13 540:22 541:11,25 542:4,9,11 543:19 545:7,11,13,15,16 547:5 550:5,7,18,20 595:1,2,7,9 rates 545:9 546:1,5, 6 rating 350:11 450:17 495:1,5 557:18 584:19 585:6 586:11 ratings 585:3 rational 553:19, 20 re-sign 371:11 re-signing 371:13 reached 512:21 reaching 588:19 react 312:9 333:24 reacted 431:10 reaction 282:18 283:3 311:22,24 338:11 420:1,5,7 561:24 read 282:13 288:10 291:12 299:17,23 332:20 341:6 348:8 357:11 408:9 409:3 415:20 417:14 418:18 448:17 449:24 455:16,17 457:6,8 462:10 503:5 520:17 538:7 550:25 551:1 reading 311:7 378:24 379:1 538:1	
<hr/> R <hr/>				
R/f 285:3 290:18 294:14 393:16 411:8 425:20 426:14 450:12 484:22 487:5 race 500:17,24 562:2 563:19,20 564:3,8,13,15 566:15 569:23 races 551:9 555:10 596:7 racetrack 274:13 279:3 288:18 289:10 295:6 297:6 302:19 307:7 311:14 312:5 313:12,21,23 314:2 315:16 317:13 319:11,19 320:4,13 321:16,20 323:20 327:7 334:14 340:19 341:20 349:16 350:17 351:10 353:15 360:12 362:3,7 367:19 376:3 377:12 378:5 383:24 384:4 386:6 421:15,17 422:4,6 423:3 427:25 428:3 439:12 443:21 449:19 462:2 483:3 484:15 491:22 508:4 509:4 510:2,17 511:13 512:10,12 517:8,16 518:2	racetrack 274:22 277:2,10 295:5 297:5,18 300:8 305:4 306:12,14 307:3,6 309:22 311:1,13 312:3 316:9 319:3 320:3, 17 323:4 324:20 326:5,8,12,17 329:9, 18 330:7 333:12 335:4 340:22 348:18 352:14 353:24 359:9 362:2 363:6 364:14 366:11,20 372:9,12 373:17 379:24 383:24,25 384:19 386:7 396:24 398:6 399:19 400:22 401:16 402:1,6,15, 17,19 424:6,11 433:1 444:11,21 446:9,25 447:4,22 449:18 454:2 457:11,20 461:9,15 470:10 471:22 480:20,25 484:6,15 486:10 489:18,21 497:2,3,12 499:15 500:12,15 509:15 515:25 516:1,6,13 521:19 522:1,14 530:23 531:19,23 532:19 533:3,7 537:4,19 551:23	range 457:17 rapid 452:15 Ratcliffe 271:23 272:18,21 273:1,13, 17 282:12 284:9 285:8 287:19 288:9 289:3 290:8,23 291:10 294:14 295:3,8,16,22 297:12,13,24 298:7 299:21,25 300:1,12, 19 301:4 303:16 305:23 306:17 315:5 319:1,7,10,13,21 320:5,12,25 321:2,7, 10 324:8 328:2 330:19 338:20 341:6 343:20 348:7 356:18,21,23 377:16,19 380:2 382:25 390:21 391:2,5 395:9 396:1 401:18 411:9 415:3, 16 416:20 417:10 421:8 422:9 423:5, 15 424:20,24 425:20 426:9,14 429:12,16, 20 430:8,9,20 436:1, 10 437:12 450:20 451:16 454:5 456:19	reads 400:3 ready 407:1 409:4, 7,17,21 410:1 reality 367:6 558:12 560:9,23 realized 561:23 reallocated 442:11 reason 296:2 298:20 334:18 402:5 409:25 440:21 448:20 449:1 463:24 464:22 reasons 397:18 reassure 435:11 recall 272:2,4,5 273:15 274:22,23 276:13 279:11,20,24 280:23 281:22 282:5,9,11,15,23,24 283:1 304:25 307:21 310:1,6,21 311:22, 24 312:1 313:20 315:6 317:16 321:18,22 325:9 326:11,16 336:17 339:24 348:12,13, 14,16 349:23 350:19 351:11,13 353:16 354:8,15,22,24 360:10,14 361:11 362:14 363:8,10 365:3 368:23 369:20,22 370:2 371:13,17 375:11,12 379:8,10 381:6,16, 21,23 385:25 386:16 387:24 404:9 424:8, 9,12,13,16 428:6 431:11,20 432:17,20 437:8,10,14,17,20, 21,22 439:5,16 441:3,5 443:12,23 445:17 448:2,24 449:22 454:10,12 455:12,15,24 456:2 459:1,19 460:3,15, 25 461:1,2,6,18 469:8 472:25 473:21 474:8 476:8,9 479:4, 5 481:18,24 482:23 483:9 486:5,7,14	

489:12 494:5,6,25 497:20 499:8,23 500:1 503:1,8 507:14 513:8 520:13 542:14,18 543:24 548:2 549:14 556:6 562:4,9 563:22 564:9 565:12 570:15,22 571:1 575:12,14 580:11 585:24 589:14,25 590:1,8 recalling 444:18 recalls 456:14 receive 285:19,23 286:6 294:6 542:22 received 286:3 317:24 318:12 446:5 462:15 487:22 537:2 538:22 581:12 receives 325:4 533:23 receiving 291:5 325:10 539:14 550:8 recent 293:12,14 Recess 313:4 374:13 469:18 523:14 recession 558:16 585:14 recipient 286:16, 20 288:6 317:20 355:16 362:19 recipients 287:2 317:24 325:24 326:1 recite 506:13 recognize 523:20 recollection 276:1 279:14 389:4 456:6 457:2 478:8 497:18 519:23 564:18 576:12 recommend 314:1 315:15 365:24 385:21 410:16,17 477:15 576:22 recommendation 307:10 310:2,9,13	316:9 332:16 348:17 350:22 353:19 354:3 355:8,9 373:8 376:9 386:17 390:23 391:8 395:13 410:20 412:25 413:18,24 436:11 459:3 464:23 470:18 471:6,11 492:12 577:4 recommendation s 272:11 311:10 314:12,14,16 315:9 328:24 332:5,25 342:17 352:18 385:15 386:4,15 388:17 462:8 471:2, 5 512:1 576:1 recommended 329:20 330:7 335:4, 17,21 341:22,25 342:6 350:25 355:3 358:1,8 361:6 365:9 372:19 385:23 386:1 413:14,17 416:7 436:25 467:19 468:1,3,15 474:1,6 494:22 528:17 576:17 589:19 recommending 330:15 350:16 464:17 488:2 reconsider 494:12 record 274:19 301:9 323:14 417:16 453:5 456:5 546:23 583:21,22,25 584:2, 4 recorded 303:13 529:4 records 317:14 318:6 recouped 512:17 recouping 544:5 RECROSS- EXAMINATION 590:19 redacted 272:20 redesign 485:12	reduce 354:1,5,20 495:4 reduced 312:16 323:22 330:18 379:25 380:10,17 559:25 reducing 281:9 364:13 reduction 277:21 278:22 280:7 305:3 307:8 341:23 350:22 362:12 367:3 369:18 391:9 398:4 461:22 536:8 564:15 577:19 578:11 reductions 351:6 393:2 464:3 564:8, 13 reevaluate 348:19 349:2,9,15 353:14, 21 394:24 reexamination 597:2 refer 314:11 315:9 472:16 521:25 reference 272:14 277:23 278:9 279:1, 5 282:3 283:16,19 298:23 299:6 304:6 307:9 309:17,25 310:3 311:8 317:4, 11 324:12 325:8 326:10 329:12 331:8 345:18 357:2 362:5 367:12 368:22 389:2 391:15 392:9,24 398:20 400:11 402:15,16,18 416:3 428:5 432:16 435:21 439:21 460:20 461:12 472:10 481:7,12 485:22 486:14 488:2 489:7, 11,13 497:25 498:22 499:2 502:2 509:6 517:12 518:6 522:15 523:6 531:2 533:17 540:19 541:19 544:4,8 552:21 553:14 556:25 564:16 566:2,10 568:10 569:10,20	571:20 584:9,14 585:12 592:7 referenced 439:19 458:22 465:23 521:5 568:17 references 349:19 531:11 575:13 referencing 381:11 528:19 referred 270:21 272:25 273:6 297:7 299:16 332:3 401:16 402:2,6 478:11 505:2 585:16 referring 271:19 277:6 282:2 288:23 297:4 330:20 378:1, 14 380:3 384:11 440:12 441:24 446:8 458:3,5,9 474:22 483:25 484:3 486:2 510:18,20 549:11,21 556:15 568:15 refers 294:22 358:14 457:13 516:22 541:24 reflect 298:4 319:6 373:11 380:22 449:7 543:18 reflected 551:22 552:22 575:25 583:19 reform 452:1 reframe 436:4 refresh 389:3 497:17 refund 570:14 578:21 refused 543:5 568:20 refusing 547:13 regard 314:20 328:23 464:10 528:20 537:13 regime 291:8 319:13	region 580:11 regional 528:13 529:1,17,21 regular 337:13 340:11 419:20 regularly 275:20 regulated 300:4 regulation 277:4, 15 regulator 329:23, 25 331:12 444:19 447:16,21 448:12 449:25 regulatory 278:7 reinvest 364:14 reinvested 442:5 rejected 375:20 376:20 377:13 378:9,23 379:6 related 482:13 525:6 577:24 relates 521:22 534:1 546:6 relating 357:18 relative 390:9 414:15 546:9,15 release 469:11 598:10,13,19 599:2 released 354:13 417:23 423:25 465:7 503:4 517:1 597:8, 21 releases 424:10,14 relevance 456:15 511:10,18 relevant 306:13 307:3 309:20 416:21 425:1 465:14 484:23 487:6 496:14,16 524:1 594:16,18,20 reliance 334:13 relied 332:8,13 334:14 448:3 relief 490:16 558:9
---	--	---	--	--

589:22 590:10	replace 311:12 316:7	585:9	rest 282:1	13,17,23,24 527:1, 17 531:17 532:18
relocate 397:8 553:24	replaced 480:22	required 287:4 290:16 504:7 513:22 559:13 566:17	restrictions 452:11	555:22 569:4 570:16,23 571:4 593:8,11,15 595:11
relocation 397:11	replacement 578:8	requirements 284:21 290:14 296:24 521:17	restructuring 327:10	revenue-sharing 274:12 288:17 311:14 331:23 397:3 476:6 593:16
relying 393:3 474:15	report 272:20 311:7 314:7 315:8,18,24, 25 348:4 354:12,13 385:14,20,23 412:24 439:1,4,8,20 443:20, 24 455:9,13,25 456:2,7,15,20,21,23 457:6,12 458:23 461:1,18 464:1 465:24 469:11 472:23 478:11,12 481:3 487:23 488:5, 22 491:4,6 492:10, 12 493:2,4 498:24 499:1 501:15 503:5, 12 508:9,20 511:7 514:17,22 515:2 516:24,25 520:7 528:16,20 544:1,4 546:11 558:2 566:20 589:7,12 591:14,19 598:22	requires 524:22	result 326:18 327:10 434:7 461:5 462:6 463:16 494:23 497:6	revenues 367:6 388:24 396:17 485:10 495:4 510:25 512:18 525:20 558:20 592:17 594:20
remain 555:11	reporting 296:25 301:22 311:2 471:18 498:11,18	research 497:6	resulted 464:4 564:3 586:1	review 274:11,19 287:11,12 295:11,22 305:24 306:13 307:4,11 328:2 334:4 335:1 339:10 346:16,17 347:3 348:6 352:22 377:17 385:16 400:1 402:11 403:2,6,18,23 408:4, 17 431:7 444:20 455:8,11 460:2 490:12 491:23 502:21 520:24 522:9
remains 284:7	reports 507:6 514:19	reserved 300:20	resulting 564:14	reviewed 274:18 292:24 294:24 323:17 377:14 402:14 418:22 452:23 453:3 484:18 511:20 513:21 514:17 552:8 566:12 569:12 575:16
remember 271:11, 12 276:24 283:7 310:19 322:11 369:2 385:22 400:12 417:18,19,20,22 418:2,3,5,9,10 422:16,18,19,20 440:7 443:18 463:21 465:8 486:1,3 494:20 496:8 497:13 519:10 528:18,19 544:2 562:3,7 563:21 564:7 575:3, 11 576:19,20 590:3, 23 599:16	representation 359:2	resistance 494:20	results 463:18	reviewing 300:6 323:7 488:4 497:8
remembered 563:19	representations 287:1	resolved 506:5	resuming 313:5 374:14 469:19 523:15	reviews 315:19 579:18
removal 434:6	representing 576:4	resources 529:19 572:8	retain 278:6	revised 284:12 297:23 339:17 368:18 371:9 374:19 383:22 384:9 441:12 444:4 449:6 450:9
remove 368:14,25 369:6,14 371:7	represents 540:12	respect 277:9 288:17 289:9 342:15 349:15 353:14 356:7 391:9 398:18 454:2 462:11 473:11 482:21 483:2 488:24 515:24 598:17	return 281:8 294:7, 12 334:20 569:15 570:2	revises 451:2
rent 512:19 540:16 546:2 550:20 577:21	request 297:14 319:7 348:16 361:24 496:18	respective 290:4	returns 324:3 501:22 570:4	revisiting 373:10,15 374:23
rental 475:22 542:16 544:6,10,13 545:1,15 547:4 578:13	requested 399:13	respond 361:23 409:13 552:17 558:21	revenue 276:3,10 277:19 280:17 281:1,3,8,10 289:10 297:4,17 298:3 302:8 303:14 305:3, 9 311:12 313:13 314:2 315:16 319:3, 10 321:16 324:4,14, 16,17,18 326:13,19 333:5 334:15 345:21 346:8 348:18 350:16 351:12,21 352:4,13 353:5,15,24 360:12 363:7 369:16 377:8, 24 378:13 381:9,19 388:21 396:9,16,23 397:12,25 400:15 403:7 407:2 410:16, 21 415:13 416:7,16 417:2 418:2 421:17 435:25 436:7 439:3 449:13,19 453:23 475:15 477:2 483:4, 10,11,14,16,20 484:9,11,21 485:2, 11,16 501:19 505:4 507:20 521:12 524:23 526:1,4,9,11,	revisited 394:15,
rents 536:5,17 543:7	requesting 520:22	responded 432:22 512:3	returning 281:8 294:7, 12 334:20 569:15 570:2	
repaid 294:10	require 506:22,23 544:10,20 560:20	responding 575:21 581:3	returns 324:3 501:22 570:4	
repeat 288:20 317:22 326:15 331:16 365:13 385:22 404:21 532:14 551:24 577:11 579:10 584:11 594:10		responds 485:18		
repeating 453:13		response 301:9 350:8 439:6,7 500:8 512:7 584:7 594:25		
rephrase 335:16		responsibilities 278:7 572:2		
		responsibility 271:4 285:6 529:15 589:7 591:23		
		responsible 386:18 415:24 601:3 602:20		
		responsibly 412:6,14 599:20 600:2,8,15,21		

17	14,21 534:12,13,16, 17 538:1,5,12,16,18, 24 539:1 540:1,3 541:5,18,22 542:4,5, 12,13 543:2,8,9,21, 23 544:12,14,16 545:20,21 546:7,19, 20 547:3,12,20 548:6,16 550:12,23 551:10,20 553:7,8, 11 562:19,20,21 564:22 565:9 566:24 567:4,10,19,20,24 568:1,6,9 583:20,23 586:16 590:22 593:19,23,24 595:1, 21 597:1 598:4,21 599:15	442:10 444:7 445:23 453:3 471:25 481:9, 16 482:1,7 483:4,10 489:5,9 490:3,8 502:18 523:1,24 527:18 529:23 537:24 538:22 542:16,21 544:6 546:15,16 547:6,7 549:7 550:16 551:22 553:21,22 554:10,18 556:3 557:5 570:19 573:18 574:8 575:9 576:16 577:7,13 578:6,8,19,25 579:12 581:7 582:9 583:6 588:9 598:23	school 561:3,8 scope 329:1 488:1 548:24 Scott 349:4,7 screen 341:5 343:18,21 476:14 487:18 515:6 530:14 534:12 539:25 565:13 scroll 565:14 sears 462:22 season 423:19 424:1 seat 426:23 sec 450:15 secrecy 308:4,7,8, 12,17,18,19,20,21, 23,25 309:2,4 389:25 392:10,14,15 393:6,12,19 411:3, 23 448:24 449:1 572:11 586:14 587:3 597:8 598:17 secret 421:14 422:5 423:3 428:2 secretariat 284:17 300:5 secretary 291:21, 23 344:20,23 493:12 518:10 section 287:17 292:19 376:11 384:19 554:9 sector 272:12 282:18 294:25 301:24 302:15 311:13 312:3,6,8,17 324:22 326:22,24 327:8 329:9,22,23, 25 332:12 351:20 375:25 380:6 398:6 399:25 400:22 401:16 402:1,6,15, 17 403:1,18 404:19 422:22,24 423:2 424:4,7,19 428:2 431:19 440:4,21 450:22 452:21 460:16 461:7 462:2,	9 466:14 474:20 475:8,13 481:20,24 482:11,22,24 484:6 489:20 505:23 533:4,20 564:1,2 570:18 571:1,5 580:10 589:23 590:11 596:5,25 602:13 sector's 312:10 sectors 531:1,12 532:1 security 448:15 587:17 seek 454:1 516:5 seeking 388:18,23 389:5 390:6 Seiling 444:23 448:16,21 453:20 454:8 467:9 565:15 566:6,13 597:12,19 598:18 599:2,10 Seiling's 564:23 571:12 self-funded 571:1 self-serve 376:1 self-sufficiency 552:15,24 selling 592:12 593:3 send 368:17 419:12 496:14 sending 383:21 418:24 419:18 427:3 sends 324:16 senior 340:4,5 344:1,4 518:8 sense 435:2 455:18 482:8 483:6 484:4 526:7 529:6 532:13 537:16 545:12 547:11 571:25 573:4 sensitive 485:1 573:7,12 sensitivity 495:3
revitalize 563:1 rewarding 565:24 rewards 475:9,13 519:17,21 reworked 399:21 Rideau 516:14 riding 573:13 right-hand 326:4 382:16 383:20 508:21 567:18 ring 540:8 rising 366:6 450:16 467:13 557:17 risk 409:10 506:20 risks 343:8,12,18 345:12 roadblocks 391:20 Robert 584:5 role 277:9,14 291:19 460:6,8 470:19,23 589:5 rolled 395:22 579:25 rolling 580:15 rollout 453:18 room 602:5 Rosenberg 271:18 285:3 287:24 290:18 292:10,17 293:1,4 298:9 314:4 320:22,24 336:12,16 347:6,9,12,20 355:14,17,18,23 362:18,20,23 386:11 393:16 407:15 411:8 430:15 438:15,22 450:12 453:1 456:4, 11,18,21,24 468:5 478:10 484:22 486:21 487:5 511:10,22 513:20 514:1,7,13 523:16, 18 529:12 530:3,7 532:9,11,15 533:12,	Rosenberg's 584:8 roughly 584:15 row 283:14 rule 448:13 run 368:17 418:7 419:9 420:11 421:7 480:24 running 385:10 419:11 runs 546:25 rural 318:23 428:1 431:16 438:6 460:1 470:23 471:9 502:7 530:25 531:12,25 589:4	SART 540:11 satisfied 490:7 575:24 satisfy 290:13 391:4 Saturday 376:8 379:21 380:16 Sault 528:10 save 566:14,17 saved 528:24 saving 546:15 savings 275:9 279:16 280:3,6,12, 14,17,22,25 281:12, 16 305:10 313:22 315:21 335:14 349:11 350:4 389:11 546:9 557:24 558:1 559:15 561:10 SB0005277 565:8 SB5277 564:5,23 scenario 398:11 464:9,11 479:10 578:23 scenarios 432:11 scene 399:5 schedule 500:12, 15 scheduled 275:21, 24 276:6		
	S			
	Sadinsky 566:20 sadly 514:7 sale 294:8 593:6 sales 472:1 501:18 580:23 SARP 276:3 282:7 293:14 302:9 319:2, 15,22 320:14 324:1 330:16 333:4 351:20 381:9,19 391:10 400:14 407:2 422:21,23 423:1			

<p>sentence 503:14</p> <p>sentiments 494:7</p> <p>separate 365:5 504:12 529:16 557:12 577:23 578:2,3,14 591:9 592:5</p> <p>September 284:17 293:10 296:6,13 472:2,13 473:15 479:14 497:7</p> <p>sequence 274:5 276:13 322:4 348:2 361:22 363:22 368:5 371:25 374:18,20 431:22 438:21 447:18 465:19 493:1 501:9 529:25 578:5</p> <p>series 309:10</p> <p>servants 365:6 576:16 579:2,14</p> <p>service 409:2 417:24 418:23 420:10 429:10,11 466:16 575:20 576:24 579:16,19,22 581:10 594:8</p> <p>services 294:6 364:14 483:15 484:2,12 525:2 527:14 547:9 550:7 559:2 592:12 593:3, 7 602:6</p> <p>set 275:19 452:16 499:4,6 505:7 550:3, 18 572:4 595:6</p> <p>sets 309:9 399:1</p> <p>setting 399:5 577:14</p> <p>settle 479:20</p> <p>settlement 545:16</p> <p>settlements 512:22 513:1</p> <p>seven-part 520:22</p> <p>severely 471:23</p> <p>share 276:3 281:10 298:3 313:13 314:2</p>	<p>315:16 319:11 326:13 351:12,21 352:4,13 353:15 363:7 369:16 397:13 403:14 407:2 410:17 415:13 416:17 419:23 421:17 435:25 436:8 439:3 449:19 465:22 475:15 477:2 483:4, 10 484:14 586:21</p> <p>shared 295:5 297:17 302:9,18 305:4 319:18 320:3, 17 409:10 419:21 484:5 596:14</p> <p>shares 400:15</p> <p>sharing 276:10 289:10 297:4 319:3 321:16 326:19 333:4 350:16 360:12 381:9,19 396:9,23 397:25 403:8 416:7 417:2 418:2 449:14 453:23</p> <p>short 313:2 569:16</p> <p>Shortill 358:6 360:17 361:17 387:2 421:2 469:22 477:13 486:16</p> <p>Shortill's 426:19 470:10 553:5</p> <p>shortly 275:25 517:1</p> <p>show 275:10,13 284:5 296:20 316:2 321:23 327:19 336:25 348:1 360:15 361:19 368:3 371:24 373:12 374:16 382:11 388:2 399:7 415:16 417:20 418:12 426:18 431:21 437:12 441:7 469:21 470:9 498:9 500:3 514:25 551:25</p> <p>showed 322:12 339:23 449:23 486:3 510:4,6 567:1 571:7</p> <p>showing 284:14 515:18 564:3 591:17</p>	<p>shown 553:3</p> <p>shows 362:1 398:9 432:25</p> <p>shrink 462:2</p> <p>side 382:16 409:2 421:1 428:12,17,18 430:4 494:9 512:10 555:8</p> <p>sides 433:8</p> <p>sign 291:25 370:7 469:3</p> <p>signal 473:13 501:16</p> <p>signature 353:11 575:6</p> <p>signatures 372:10</p> <p>signed 273:7 307:16 370:15,24 382:19,21,23 469:1 553:15,18 575:2,10</p> <p>significance 327:7</p> <p>significant 313:22 353:4 388:21 391:24 392:21 393:14 405:6 461:3 497:14 506:3 558:16 585:23 602:16</p> <p>significantly 399:22</p> <p>signs 427:6</p> <p>silence 392:5</p> <p>similar 330:21,23 331:5 342:2 346:13 347:14 463:10 464:3 532:2 580:12,21</p> <p>simple 519:1</p> <p>simply 331:17 378:1 541:20 550:16 558:6 594:22</p> <p>single 491:10,19</p> <p>sir 274:3,19 275:15 281:5 282:4,22 286:21 288:12 290:1 291:14 297:2 298:25 299:18 300:7 301:12</p>	<p>302:1,16 303:11 304:7,18 310:18 312:25 313:11 315:13 317:18 322:1 325:9 326:11 328:15 329:13 334:21 335:9,22 337:1 338:17 341:21 345:11 347:24 348:2 354:18 355:7 356:5 357:22 359:24 361:19 363:3 364:7, 20 368:23 372:16 374:1 380:15 383:17 386:14 389:4 392:15 394:9 395:15 397:18 401:15 402:13,25 406:24 410:14 411:12 416:5 417:18 420:2 421:20 422:15 423:9 425:5 436:25 439:23 443:17 447:14 448:1,21 451:8 453:7,21 454:19 459:2 461:8 463:25 466:2,10 467:6,8 468:15 473:11 475:11,17 478:4 481:25 483:9 484:20 487:21 491:6 496:25 497:9 500:20 502:15 517:19 518:7 519:13 523:17 524:4,15 527:22 538:19 539:2 542:14 543:24 544:9,17 546:3 547:4 549:24 550:13 553:15 562:22 579:9 581:14 583:24 595:20 596:2 597:11 598:16 599:10 601:1,5</p> <p>sit 345:9 589:3</p> <p>site 505:19</p> <p>siteholder 297:6 513:4,15 527:16 536:1,19 539:3,8,13 541:25 542:1 546:17 549:8,24 550:25 554:12 556:20 595:22</p> <p>siteholder's 289:12,16,21 290:1</p>	<p>siteholders 551:12 556:22</p> <p>sites 341:12 342:11,22 504:13</p> <p>situation 486:9 558:13 559:13 560:10,24 586:11,12</p> <p>situations 587:2 602:19</p> <p>sizable 558:19</p> <p>size 327:6</p> <p>sizing 398:5</p> <p>slide 322:14,17 327:20 329:10 330:22 338:18,19 340:17 341:2 343:10 12,17,19,21 346:11 356:22 357:16 358:14,17 359:1 375:17 382:23 471:18 485:24 497:21,24 498:1 501:3,5,6,10 520:18 522:18 562:17,18 563:11</p> <p>slides 345:16</p> <p>slot 310:13 324:15 353:23 357:14 397:11,13 483:17,23 507:21 511:14 525:1 533:10 539:9 542:19,21,23 549:9, 19 550:17,20 593:7, 12 594:7 595:7,10, 12,13 596:4,24 597:4</p> <p>slots 274:13 279:3 288:18 289:10 295:6 297:5 302:19 307:6 310:5 311:14 312:5 313:12,21,23 314:2 315:15 317:13 319:11,19 320:4,13 321:16,20 323:20 326:9,14,20 334:14 340:19 341:20 348:18 349:15 350:16 351:9 353:15 360:12 362:2,7 367:19 376:3 377:12 378:5 384:20 386:6</p>
---	---	---	--	---

<p>397:8 408:1,14 421:17 422:4 427:25 439:11 443:21 449:19 458:14 462:1 475:23 484:9 491:22 508:4 509:3 510:1, 16 512:13,15,20 513:5 517:7,15 518:1 519:4 521:3 522:23 527:17 530:21 531:5,8,18, 21 532:7,18,20 534:2 536:4 556:23 577:20 592:24 593:5 594:12 595:2,25 596:16</p> <p>slow 485:20 486:16 487:2</p> <p>slowed 487:3</p> <p>slowly 585:22</p> <p>small 301:2 396:9 417:14 520:14</p> <p>smaller 398:8 434:24 462:6 587:5</p> <p>Snobelen 416:13 417:13 449:16 451:13,17,21 466:11 467:8 475:1,12 482:19 519:14 538:20 539:21</p> <p>Snobelen's 472:18 534:8 537:21</p> <p>Society 559:8,11</p> <p>soft 498:21</p> <p>solution 433:4</p> <p>solve 569:23</p> <p>Sorbara 476:20,23 477:7</p> <p>sort 432:13 448:14 537:11</p> <p>sound 446:1 496:6</p> <p>Sounds 284:4</p> <p>source 501:18 526:10</p> <p>sources 346:6 571:4</p>	<p>space 423:1 427:24 475:23 512:19 532:6,20 533:10 542:22,25 545:1 549:9 551:16 577:21 578:13</p> <p>spades 593:23</p> <p>speak 294:18 313:11 321:1 351:7 365:16,21 379:23 380:8 416:10</p> <p>speaking 313:7 350:10 357:5,9 377:20 383:22 385:4,8 386:2,19 415:11 422:17,20 433:23 463:23 470:4,7 477:8</p> <p>speaks 277:4</p> <p>special 466:18,21</p> <p>specific 282:3 283:2 287:15 315:2, 15 320:8 347:16 359:2 389:7 402:14 416:9 472:25 489:12 590:25 591:6</p> <p>specifically 277:7 313:19,20 354:15 375:24 418:5 437:8, 20 494:25 499:8 505:2 554:25 556:2</p> <p>specificity 409:9</p> <p>specifics 282:9,24 287:10 312:12 348:14 354:22 418:3 439:17 440:7 441:5 455:24 561:9 585:24</p> <p>speculate 486:24</p> <p>speculating 420:18</p> <p>speculative 535:16 546:19</p> <p>speech 366:7 398:20,22,25 399:10,14 400:2,8, 22,23 401:3,10,13, 16,22 402:2,7,10,14 403:13 416:15,25 431:10</p>	<p>speeches 400:17 538:2</p> <p>spend 560:6 569:3</p> <p>spending 350:12 526:5 527:4,6 557:6 561:12,18</p> <p>spent 467:25</p> <p>split 527:18</p> <p>spoke 313:9,23 354:11,19 381:13 422:16 434:5 452:18 469:6 470:8 538:20 572:10</p> <p>spoken 332:17 354:16 464:2 476:24 477:7</p> <p>sport 571:17</p> <p>sports 480:24 525:4</p> <p>spreadsheet 505:17</p> <p>spring 519:15</p> <p>square 357:8 475:22 551:9,13</p> <p>squeezing 561:7</p> <p>Stability 521:21</p> <p>stabilize 424:7 563:2</p> <p>stable 480:19</p> <p>staff 292:2 305:21 306:7 311:9,25 315:22 325:11 350:22 365:5,25 370:18 385:8 387:3 391:9 393:23 395:3 409:15,17 459:23 468:3 471:1,7 487:25 488:22 489:4,14 494:2,21 497:13 498:17 507:12 514:20</p> <p>staff's 492:11</p> <p>staff-level 507:5</p> <p>staffers 332:14 579:2,14</p>	<p>stage 308:6 403:12</p> <p>stages 590:7</p> <p>Stajduhar 364:8</p> <p>stakeholder 328:9,17 329:6 331:11 332:2 345:12 358:15 375:16 401:6,9,11,20 405:1, 12 406:5 503:22</p> <p>stakeholders 281:24 282:6 329:18 332:4 342:15 343:4 356:14 359:8 389:21 392:13 401:3 406:14 410:25 413:20 521:20 522:2,14,25 561:25 565:25 572:4 587:1 588:24 597:23 602:16</p> <p>stakeholders' 359:3</p> <p>stamp 273:22</p> <p>standard 294:25</p> <p>standardbred 458:24 475:13 498:19 501:25 509:14 511:15 516:16 519:14,17,22 563:2,6,14</p> <p>standardbreds 475:14</p> <p>Standing 520:20</p> <p>stands 314:19</p> <p>start 270:12 282:2 523:23 587:14</p> <p>started 421:14 490:13 507:2,5,8,12</p> <p>starting 283:9 291:8 500:23 589:15</p> <p>starts 292:21 363:25 374:20 587:1</p> <p>state 299:12,14 361:25 562:23</p> <p>stated 553:21</p> <p>statement 486:18 493:2,3,17 494:3,18 532:23 572:9</p>	<p>statements 303:8 417:23 451:21 452:23</p> <p>states 287:7 356:5</p> <p>status 481:5 501:6</p> <p>stayed 542:21</p> <p>Ste 528:10</p> <p>Steeve 344:25</p> <p>step 331:3,6 450:14 553:23</p> <p>step-down 358:22 359:15 365:10 366:23 576:17</p> <p>STEPHEN 270:2</p> <p>steps 309:10 339:13,16 397:5 404:19 405:1 424:5 588:17</p> <p>stop 551:22</p> <p>stopped 326:8,14 448:19</p> <p>stopping 326:19</p> <p>stops 578:8</p> <p>stores 383:23</p> <p>strange 434:25</p> <p>Stransky 358:7 360:16 361:16 387:2 421:4 444:13 445:2, 18,20 448:6 598:2</p> <p>strategy 406:4,11, 14 432:6</p> <p>stream 311:12 507:21</p> <p>streams 569:4</p> <p>strengthen 348:17,24</p> <p>strengthening 350:7</p> <p>strictly 300:4 528:12</p> <p>strip 367:9,14</p> <p>stripped 378:13</p>
---	--	--	--	--

<p>stripping 376:22</p> <p>strong 349:16 530:6</p> <p>stronger 348:20 349:2,5,8 353:14</p> <p>structure 542:10 570:16,17</p> <p>structured 279:6</p> <p>struggle 557:23</p> <p>studies 413:2 457:14 506:9</p> <p>study 332:24 333:3 432:13,18 440:15, 17,25 441:8 450:4 505:10</p> <p>studying 467:25</p> <p>sub-bullet 568:24</p> <p>subcommittee 275:23</p> <p>subcomponents 441:23,24</p> <p>subheading 540:9</p> <p>subject 309:1 310:15 337:3 465:9</p> <p>submission 282:16 367:16,22 370:6,16 371:2 374:24 377:11 380:21 382:9 443:6 458:6,9 469:4 503:18 528:16 553:3,13,15,17 556:5,8 575:2,22,25 576:5,7 581:20 582:12,23 583:9,10</p> <p>submissions 282:19 373:15 573:24 581:11</p> <p>submitting 506:19</p> <p>subsequently 402:21 437:6 438:19 474:10 489:19 597:15</p> <p>subsidies 291:5,7 316:18 364:13 379:23 380:9,17 433:1</p>	<p>subsidized 537:3</p> <p>subsidizes 535:7</p> <p>subsidy 319:12,20 320:4,8,18 376:4 377:12 378:6 421:14 422:5 423:3 428:2 432:7 488:15,25 489:5,9,23 490:3,19 534:20 535:13,21 536:14,22 537:9 594:21</p> <p>subsidy' 535:1</p> <p>substantial 356:13 357:2 413:13,16</p> <p>substantially 354:1,5 451:2</p> <p>substantive 352:18</p> <p>success 523:2</p> <p>successful 334:13,14</p> <p>sufficient 396:17 482:10</p> <p>suggest 399:21 514:10,13 581:7 582:9 583:6,14</p> <p>suggested 349:18 517:3,4 574:25 576:15</p> <p>suggesting 295:10,14 300:7 408:5,18 542:10 597:11 598:15 599:9 600:5</p> <p>suggestion 578:24 579:11</p> <p>suggests 299:18 364:12 487:2,4 516:25</p> <p>suicide 463:14,17</p> <p>suicides 461:4 463:18</p> <p>summarized 317:10 345:11 358:18</p>	<p>summarizes 591:14</p> <p>summary 340:18 356:6 357:8 360:18 388:10 520:6</p> <p>summer 387:25 469:23 479:3</p> <p>summonses 301:5</p> <p>Sun 417:6</p> <p>Sunday 427:5 550:24</p> <p>supervision 560:21</p> <p>supplemental 516:5</p> <p>supply 434:8</p> <p>support 272:6 278:3 301:10 306:14 307:5 316:24 323:22 326:8 327:6 330:18 332:24 354:2,20 368:15 369:1,15,16 371:8 372:21 373:19 380:6 381:10,20 386:7 399:24 403:9 410:24 415:14,25 416:8 424:6 436:8 454:13 455:1 459:4, 7,11 460:14 461:11, 14,22 462:4 464:18 468:2 470:1 474:20 475:8 477:25 488:2 489:21 490:2 491:7 494:21 504:15 516:12 524:19 525:2,20 526:20 527:14 530:24 531:24 533:4,7,20 535:17 536:2 540:13,17,25 541:14,17,24 548:11,18 549:4,6 552:9,16,25 558:9 559:25 560:2,20 571:17 577:25 594:21</p> <p>supported 287:3 415:14 416:6 428:1 454:20 459:23 464:8 571:5</p>	<p>supporting 537:18</p> <p>supports 317:1 455:22 462:9 464:17 483:20 489:22</p> <p>suppose 295:9 350:21</p> <p>supposed 486:22</p> <p>surefire 566:14</p> <p>surface 434:17</p> <p>surgeries 602:5</p> <p>surpluses 572:20</p> <p>surprise 333:22 503:2</p> <p>surprised 301:14 328:19 352:23 428:6,11 454:11 469:7</p> <p>surrounding 567:22 568:11</p> <p>suspect 278:12 497:21</p> <p>sustain 535:4</p> <p>sustainability 277:5 309:14 554:21 571:18</p> <p>sustainable 399:25 462:5</p> <p>sustained 494:16</p> <p>sweep 557:25</p> <p>sweeping 557:7</p> <p>SWORN 270:2</p> <p>sync 408:3,16</p> <p>system 279:16 310:20 320:20 349:11 434:17 455:22 548:14,21 558:1 566:23 572:23 575:7 585:9 586:23</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>tab 508:21</p>	<p>tabled 272:8 404:5, 14,25</p> <p>tackling 566:15</p> <p>take-aways 521:10</p> <p>taking 313:1 337:19 372:23 377:6 450:10 455:2 478:1 528:18 538:6 575:22 578:7</p> <p>talk 282:2 350:15 351:5 363:20 400:24 402:12,13 405:20 465:21 481:2,21 527:21 529:23 584:23 587:8</p> <p>talked 313:14 330:23 342:9 350:18 364:24 367:16 393:1 422:23 423:20 455:19 481:19,23 485:23 486:5 551:6, 18 566:20 595:17 597:7 599:14</p> <p>talking 280:25 299:12 310:19 342:20 350:13 380:11 395:10 422:21 483:22 506:11 507:7 532:24 595:24 596:13,15</p> <p>talks 284:21 308:14 341:20 520:19 595:16</p> <p>Tanya 322:16 387:19 540:6</p> <p>target 353:7 354:2, 5 405:21 450:18 561:5 585:10</p> <p>targets 335:15 350:11 396:18 560:13</p> <p>task 350:2</p> <p>tasked 353:6</p> <p>tax 271:1 277:21 278:22 307:8 362:11 367:3 369:17 380:5, 11 461:22 483:20 490:16 548:14,15,21</p>
---	--	---	---	--

549:1 570:14 577:18 578:10,21 580:23	terms 286:1,6,7,10, 12 295:9,24 297:14 301:21 302:15 303:19 316:17 320:6 327:5,6 329:2 342:20,21 346:18 404:3 422:12 430:21 445:17 449:22 451:20 462:8 465:14 475:8 482:12 485:4 488:1 489:11,13 491:14 513:21,25 535:12 537:6 544:20 545:2,5 549:7 570:8 571:6 575:19 576:6 577:21 578:13 585:3 588:8,17,22 596:19	516:15	518:19 520:14 531:6 546:5 556:9 561:20 563:13 572:24 574:11,15,23,24 578:18 580:17,19 582:7,17 583:2,4,11, 18 584:10,12 585:5, 23 586:18 588:1 589:17,20 590:6,13 593:25 599:8,23,24	Toronto 327:7 417:6 504:21 506:6, 10 507:24 528:10
taxation 271:3 526:18 548:23	testified 314:1,7 315:4 334:3 352:11 410:15,19 452:22 504:18 506:8 528:6	thought 307:24 342:24 343:3 400:5 419:20 434:15,16 438:2 439:24 486:19 508:10 510:10 546:5	total 316:23 398:13 578:16 596:15	totality 377:21
taxpayer 353:9 483:18	testifying 485:1	threaten 554:21	totalling 512:23	tough 350:3 352:18 399:3 406:12 411:21 412:1,5,9,13 557:16 561:23 573:8 600:2, 6
taxpayer-based 483:21	testimony 332:21 451:15 504:7	threatening 450:17	timelines 521:13	tougher 600:22,23
taxpayer- supported 483:15 484:1,12 526:21	text 316:7,8 419:21, 22 423:14	three-person 451:24	timely 390:11	track 414:17 462:5
taxpayers 482:4	That'd 371:10	three-year 323:21 325:16 330:17 365:10 366:23 372:20 561:5,6 576:17	times 313:9 557:16 574:17 584:21 600:2,3	track.' 569:7
taxpayers' 483:7, 8	thereabouts 597:10	tide 573:15	timing 444:15 471:19 473:12,20 485:25 486:6,12	tracking 318:22,23 467:16 495:12
TB 516:2	thing 270:20 334:25 491:21 512:8 526:19 537:20	tie 540:20	title 318:20 328:13	tracks 334:13 398:9 408:1,14 500:11 555:10
team 380:20 522:4, 8	things 270:6 281:20 329:3 350:12 377:4 378:8,12 405:5 437:23 455:20 456:14 465:10 477:18,23 491:16 506:1,21 528:3 545:22 551:15 558:4,7,13	tied 280:2,5 304:12, 16 305:10 551:5,9, 17 596:7,10	titles 345:16	Trade 431:4,6
technical 303:18 407:7 455:11	thinking 470:5 497:10 570:9 589:2	ties 551:11	toast 408:5,18	trail 336:19 337:14 407:21
Ted 435:1	thoroughbred 273:7 475:7 501:23	tightening 572:22	today 270:12 272:19 295:9,19 321:4 495:23 514:8 575:17	trajectory 350:12
Teefy 493:15		Tim 421:13 480:12	title 318:20 328:13	transaction 294:8
telling 380:20 426:4,11 431:25 449:25 466:2 486:9, 15 499:18 525:11		time 272:4 274:9,16 276:12,13,25 281:5 283:5 287:10 291:14 293:13 305:5,17,20 309:7 310:17 312:19 316:14 318:13 319:2 333:9 335:25 336:7, 9,10 339:25 342:7 344:23 348:7 351:1 354:10 359:18,25 365:8 366:5 388:22 390:2 393:4,21 403:14,15,17 410:20 412:4,8,12,17,20,23 413:23 415:7 428:13 430:23 441:2 442:9 448:9,11,25 449:5,8 451:12 452:8,13 453:11,17 459:15 466:8 467:12,16,23, 25 469:15 473:18 477:19 479:1 480:8 481:9 482:2 487:7 490:9 494:13 495:1, 8 498:15 501:16 503:11 506:17 508:1	timelines 521:13	transcript 315:7 534:14 538:1
temporary 505:7		tie 540:20	timely 390:11	transcription 418:12
ten-minute 469:16		tied 280:2,5 304:12, 16 305:10 551:5,9, 17 596:7,10	times 313:9 557:16 574:17 584:21 600:2,3	transfer 283:10,17, 21,23 284:1,3,15 285:1,14,17 286:14 288:16,21 289:9 290:15,21 291:8 292:9,13,15,19 293:9,18 294:5 295:2,7,17 296:5,12, 21 297:3,8,19,20,21 298:4,5,13,16 299:3, 9,14,19 300:3,9 301:15,17 303:14,19 304:3,8,20 309:21 310:3,20,25 311:3, 11 320:19 324:6,18, 19 325:5 331:7 335:5 340:20 341:24 350:23 354:21 358:22,23 359:16
tense 495:7		ties 551:11	timing 444:15 471:19 473:12,20 485:25 486:6,12	
tension 564:1,2		tightening 572:22	title 318:20 328:13	
term 389:6 569:16, 18 571:19 595:15		Tim 421:13 480:12	titles 345:16	
terminate 319:22 449:13 513:18 551:21 553:20 556:3,19 574:8		time 272:4 274:9,16 276:12,13,25 281:5 283:5 287:10 291:14 293:13 305:5,17,20 309:7 310:17 312:19 316:14 318:13 319:2 333:9 335:25 336:7, 9,10 339:25 342:7 344:23 348:7 351:1 354:10 359:18,25 365:8 366:5 388:22 390:2 393:4,21 403:14,15,17 410:20 412:4,8,12,17,20,23 413:23 415:7 428:13 430:23 441:2 442:9 448:9,11,25 449:5,8 451:12 452:8,13 453:11,17 459:15 466:8 467:12,16,23, 25 469:15 473:18 477:19 479:1 480:8 481:9 482:2 487:7 490:9 494:13 495:1, 8 498:15 501:16 503:11 506:17 508:1	toast 408:5,18	
terminated 351:21 362:8		ties 551:11	today 270:12 272:19 295:9,19 321:4 495:23 514:8 575:17	
termination 319:3 320:14 352:4,13 369:16 396:9 410:16 418:1 514:2,6 542:15 553:22 554:10,11,17 598:23		tightening 572:22	tomorrow 276:21 516:1	
terminology 595:3		Tim 421:13 480:12	tools 502:21 560:11	
		time 272:4 274:9,16 276:12,13,25 281:5 283:5 287:10 291:14 293:13 305:5,17,20 309:7 310:17 312:19 316:14 318:13 319:2 333:9 335:25 336:7, 9,10 339:25 342:7 344:23 348:7 351:1 354:10 359:18,25 365:8 366:5 388:22 390:2 393:4,21 403:14,15,17 410:20 412:4,8,12,17,20,23 413:23 415:7 428:13 430:23 441:2 442:9 448:9,11,25 449:5,8 451:12 452:8,13 453:11,17 459:15 466:8 467:12,16,23, 25 469:15 473:18 477:19 479:1 480:8 481:9 482:2 487:7 490:9 494:13 495:1, 8 498:15 501:16 503:11 506:17 508:1	top 271:22,24 328:6 372:2 458:10 511:3 514:2 524:18 559:5	
		time 272:4 274:9,16 276:12,13,25 281:5 283:5 287:10 291:14 293:13 305:5,17,20 309:7 310:17 312:19 316:14 318:13 319:2 333:9 335:25 336:7, 9,10 339:25 342:7 344:23 348:7 351:1 354:10 359:18,25 365:8 366:5 388:22 390:2 393:4,21 403:14,15,17 410:20 412:4,8,12,17,20,23 413:23 415:7 428:13 430:23 441:2 442:9 448:9,11,25 449:5,8 451:12 452:8,13 453:11,17 459:15 466:8 467:12,16,23, 25 469:15 473:18 477:19 479:1 480:8 481:9 482:2 487:7 490:9 494:13 495:1, 8 498:15 501:16 503:11 506:17 508:1	topic 312:24 354:16 379:12 381:13 417:7 584:24	
		time 272:4 274:9,16 276:12,13,25 281:5 283:5 287:10 291:14 293:13 305:5,17,20 309:7 310:17 312:19 316:14 318:13 319:2 333:9 335:25 336:7, 9,10 339:25 342:7 344:23 348:7 351:1 354:10 359:18,25 365:8 366:5 388:22 390:2 393:4,21 403:14,15,17 410:20 412:4,8,12,17,20,23 413:23 415:7 428:13 430:23 441:2 442:9 448:9,11,25 449:5,8 451:12 452:8,13 453:11,17 459:15 466:8 467:12,16,23, 25 469:15 473:18 477:19 479:1 480:8 481:9 482:2 487:7 490:9 494:13 495:1, 8 498:15 501:16 503:11 506:17 508:1	topics 313:15,24 351:17	

365:11 366:24 376:10 410:21	trusted 597:13 599:10	363:17 366:12 367:13 369:12 370:23 376:18,25 377:10 379:4 380:12 382:13 389:8 394:13 401:8 402:4 406:12, 18 411:11 414:8,25 415:1 419:14 422:25 429:15 430:9 435:1 439:20 444:25 446:7,21 447:2 449:10 450:2 452:2 454:18 456:9 459:13 461:23 465:18 466:10 480:13,14 484:25 487:7 491:3, 6 498:25 500:23 513:10 516:10 525:24 533:16 534:22,25 535:20 538:25 539:5 541:9, 15 544:25 545:10,14 546:8 548:23 572:22 573:1,2 596:18 598:15	undertake 319:1 405:1,11	variety 281:12,19 318:2 333:23 346:6 351:17 397:15 548:20
transferring 285:20	Tuesday 435:8	undertaken 329:17 331:11 334:23 360:19 497:7 505:11	vary 533:2	
transfers 288:4 294:1,2	turn 343:9 390:18 599:7	undertakings 543:10 544:15 545:22	version 298:24 370:24 382:19	
transform 555:24	turning 573:15	undertook 474:19 513:3	versions 285:12 370:15 441:13	
transition 283:10, 18 368:15,16 369:1, 2,6,14 371:7 372:21 381:10 403:8 410:24 415:14 416:8 436:8 449:14 451:3 459:4, 6,11,17,23 460:14 468:2 470:11,17 474:9 494:21 575:9 579:1 588:7 589:16	tweaked 337:12	underway 274:11 331:18 348:3	versus 327:8	
transitional 381:20 494:15,17 577:25 579:13	tweaks 575:4	unhappiness 431:13	veterinarians 462:20 463:2,12,13, 17,22,23	
transitioned 278:5	Tyler 493:8	unique 573:25	viability 277:17	
translate 334:16	type 282:16,19 286:10 318:9,14,16 327:3 334:10 498:2 570:16 572:13 575:5	unprecedented 557:11	viable 323:22 330:18 499:16	
translated 365:25	types 504:5	unusual 358:3 361:7 573:17 574:1 576:8,21 587:23	vicious 425:8,12	
transmitted 447:24 470:13	typical 282:18	upcoming 358:2	video 417:24	
transparency 414:1 415:2	typically 360:5 361:12,14	update 432:23 470:11 495:16	view 398:15 454:16, 23 455:3 466:13 474:13 482:3 517:15,20 540:24 541:2,3,4,13,17,20 547:15 563:13 566:11 574:7 585:7	
transparent 413:19 508:6	<hr/> U <hr/>	upper 382:16 383:20 499:11 508:21	viewed 526:22	
transportation 580:2	U/a 295:22 297:24 298:7 319:7 321:10 496:18	upset 477:7	views 333:23 377:19	
traumatic 464:15	U/t 273:1,13	urban 397:9,12	vis-à-vis 585:15	
traumatized 464:25	ultimate 396:16 403:10,24 484:17	urgent 471:19 473:13 485:25 486:6,13	visits 602:5	
Treasury 291:15, 20,21,23 292:6 310:23 516:3,4 549:15	ultimately 386:24 463:4 490:14 528:21 575:25 576:22	upset 477:7	volume 534:14	
trier 538:17	unaware 419:6,7	<hr/> V <hr/>	vote 459:5	
trouble 428:9 447:9	uncertain 295:2	vaguely 379:10	vulnerable 500:18,21	
true 509:12 590:15	uncertainty 414:15 472:2	validated 356:15	<hr/> W <hr/>	
truncate 288:13 295:3	uncoupling 397:12	Valido 316:3 399:18	wagering 334:12 482:13 483:24 484:4 551:19 563:5	
	underlying 528:25	value-for-money 490:5	waive 543:15	
	understand 272:18 274:3 275:19 281:5 286:21 290:2 291:3,6 299:11 300:23 302:13 315:13 320:23 330:4 331:15 338:15 339:4 346:21 347:17 352:20 357:22	values 472:19,23	Wallace 344:22 362:22	
		valuing 551:16	Wallace's 361:24	
		variables 505:1		

<p>wanted 270:20 284:5 339:1 349:1 361:2 378:7 382:4 397:8 470:9 473:10 490:25 494:3 505:3, 6 525:16 589:1</p> <p>wanting 563:19,20</p> <p>warned 467:7,9</p> <p>warning 466:11 562:8</p> <p>wasting 487:7</p> <p>Watch 417:24 418:4</p> <p>Watkins 322:16 387:18,19 390:13 391:15 540:6</p> <p>Watkins' 394:2</p> <p>ways 397:15 527:13 550:24</p> <p>wealthy 421:15 422:5 423:3 428:3</p> <p>website 424:15</p> <p>wedging 480:12</p> <p>Wednesday 479:23 516:19</p> <p>week 274:20 316:6 400:6 404:15 432:11 517:1</p> <p>weeks 272:10 275:24 441:11 469:10 587:10</p> <p>weigh 477:25 601:10</p> <p>welfare 559:10</p> <p>Wendy 493:5,16</p> <p>western 585:25</p> <p>wild 465:7</p> <p>wildly 479:9</p> <p>Wilkinson 273:6 452:22 453:2,5 462:11 465:13 469:9 470:8 476:11,25 477:6,8,11,17,24 478:19 482:18 486:9,11 498:12</p>	<p>win 549:19,25 550:16 595:20</p> <p>windfall 537:11,15</p> <p>Windsor 505:9</p> <p>wing 558:10</p> <p>winnings 596:17, 18</p> <p>withdraw 462:1</p> <p>withdrawal 432:7 462:7</p> <p>withdrawn 333:14, 20 334:1,6</p> <p>withheld 519:21</p> <p>withhold 475:12</p> <p>withholding 519:16</p> <p>witness's 285:6 541:9</p> <p>witnesses 275:16 513:23 514:9</p> <p>wolves 465:10</p> <p>wondering 300:14 301:12 469:15</p> <p>Woodbine 508:2</p> <p>word 320:8 331:4 343:5 349:23 390:22 436:11 440:1 481:18 534:20</p> <p>wording 349:19 575:5</p> <p>words 310:21 335:22 348:19 353:17,19 378:25 379:7 390:25 437:15 438:10 460:15 487:1</p> <p>work 309:12 329:8, 11 407:6 410:9 462:22 468:24 470:18 477:21 505:15 509:15 514:24</p> <p>worked 285:15 387:22 493:11 507:17,20 574:4</p>	<p>working 306:4,9 311:17,25 366:1 376:17 379:3 389:9, 16 390:1,17 410:4 573:21 574:21</p> <p>works 411:12</p> <p>world 389:25 461:10,16 572:19,21</p> <p>worried 462:25</p> <p>worry 463:2</p> <p>worth 385:13</p> <p>writing 417:7</p> <p>written 286:25 400:2</p> <p>wrong 452:25</p> <p>wrote 422:10 449:23 454:9,11</p> <p>Wynne 437:17 439:7,24 515:9 518:8,21 519:3</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>year 280:23 283:9, 14 299:2 302:24 358:22 359:16 372:13 388:11 411:21 453:24 480:18 488:6 492:14 499:24 500:13 510:22 559:25 578:25 579:12 584:16 588:14 589:13 590:4</p> <p>year's 436:8 468:1 490:16 581:24</p> <p>year-by-year 570:10</p> <p>yearling 471:25 472:11,13 501:17</p> <p>yearlings 472:7,19</p> <p>years 279:22 280:1 284:12 305:9 341:23 350:23 354:20 355:10 379:11 388:25 403:7 459:7, 12,14 460:14 474:1,</p>	<p>5 480:21 494:23 512:2 516:12 521:24 564:14 589:25 590:4,14</p> <p>Yeigh 300:20 322:15 383:21 433:23 434:2,3 435:16 438:17</p> <p>yesterday 270:7 271:8,13 290:9 302:5 303:1,6,10 307:14 310:2 313:10 314:3,5 410:18 422:16 423:21 444:19 481:13 482:20 483:9 551:18</p> <p>Youth 559:1</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>zoonotic 463:10</p>
---	--	---	--