

1 changed, first, to attribute the information from Rapoport
2 as opposed to just being a statement of fact?

3 A I don't recall.

4 Q Well, isn't it because you were concerned it
5 might be libelous, and you hoped that by attributing it to
6 someone else, you could escape that problem?

7 A I don't know.

8 Q Let me show you what's been marked as --

9 (Discussion off the record.)

10 BY MR. MORGAN:

11 Q Let me show you what's been previously marked
12 as Exhibit 403.5, and that's been shown to you before, but I
13 just want to see if you recall it again.

14 A I've seen this before.

15 Q That's your notes, aren't they?

16 A Yes.

17 Q You'll see down below where it says, "Possible
18 libel 156-157 and 176-177."

19 A Yes.

20 Q Let me show you Page 177. That's from
21 Exhibit 403.

22 (Discussion off the record.)

23 MR. KLENK: Do you want to tell us what 403 is?

24 MR. MORGAN: Yes. To assist you to get you back in,
25 405 is the original manuscript by Duddy. 403 is the
26 manuscript that was returned to Mr. Sire after the Hearn
27 worked on it, and I'm advised that 403, the very documents
28 we're showing to Mr. Sire, are right at the front,

1 Mr. Sire's notes.

2 MR. KLENK: Are you representing to us that the
3 document that we gave you was in this form?

4 MR. MORGAN: It would have to be, yes, sure.

5 MR. KLENK: With the pages that you're showing us now
6 being attached to and at the beginning of the manuscript
7 that was received from the Hearn's?

8 MR. MORGAN: All I can tell you is it came as one
9 group to us, because it was marked that way. The form of
10 attachment I can't tell you.

11 Q So now we'll go to Page 177, and you will see
12 that that's the page that deals with the emotional
13 breakdown. Do you see that, Mr. Sire?

14 A Yes.

15 Q Doesn't that refresh your recollection that you
16 were concerned in that page about the problem of libel?

17 A It doesn't refresh my recollection, but I
18 must -- it would appear that I was, yes.

19 Q Then my question to you originally was, did you
20 then decide to attribute the statement to Rapoport, with the
21 hope that that would eliminate any responsibility for any
22 libelous statements?

23 A I don't recall.

24 Q Do you recognize that as a method which you
25 used back in 1980 to attempt to avoid any responsibility for
26 libel?

27 A I don't recall, but I don't believe so.

28 Q Can you tell me why "emotional breakdown" was