

Deposition paused for tears

BY ANNE SUTHERLAND, THE GAZETTE JANUARY 17, 2010



Jones outside court last July.

Photograph by: SHAUN
BEST, REUTERS, The
Gazette

In the two-day deposition Bertram Earl Jones gave to the bankruptcy trustee in December, there are numerous times that the line of questioning was adjourned for brief periods.

Jones's lawyer cleared up the mystery when he made his summation in court on Friday. According to Jeffrey Boro, who was not at the deposition, Jones broke down in tears several times during his testimony and the proceedings had to be stopped until he composed himself.

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In the same deposition, on Day 2, bankruptcy lawyer Neil Stein presented Jones with a month-by-month series of cheques drawn on the 'Earl Jones in trust' account for the year 1997.

Stein also produced a copy of Jones's 1997 federal income tax return. Some of the cheques Jones recalled, some others he did not.

At the end of the lengthy presentation, Stein sums up on page 133:

"With the cash withdrawals of \$10,941.23 ... the total amounts to your benefit and your wife in that year was \$777,524," Stein states. "Income declared of \$34,000.

"The difference, or a good chunk of the difference, obviously, was funds that didn't belong to you, correct?"

"Yes," Jones said.

"Now, we can do the same exercise for each and every year. I don't think it serves any further purpose," Stein says.

"No I think we have the picture," said Gilles Robillard, with trustee RSM Richter.

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After Earl Jones was evicted from his Dorval condo in September 2009, investigators found a letter he had handwritten, entitled the letter of help.

In it, Jones makes reference to the "wrongful hurt" he has caused and is asking for money. Jones told the lawyer that he was looking to get funds from some of his wealthy friends to pay back his clients.

He said he drafted the letter in August, two months after his business was shut down.

Jones wrote on another sheet of paper 300 times \$100,000. There was a list of people to whom Jones intended to send the letter, hoping to raise \$30 million.

Jones never mailed any letters.

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