

5 himself the provenance of the painting. That should be properly admissible. It doesn't go to the truth of what the person told him but to the fact that he looked into the provenance of the painting, which is what an appraiser does.

10 THE COURT: I'm prepared to hear the evidence in regards as to what he was told. Obviously, the focus is on what he did as a result, and how he arrived at his opinion. So, if you could be guided by that comment, please.

MR. SHILLER: Of course.

Q. And so was there any other step you took in determining the provenance of the painting?

15 A. Well, I, I knew, or ascertained, that David Voss had purchased them from the silver essayist who lived in Kakabeka Falls and brought them to Potter. And he - I, I actually saw him bringing the paintings and giving them to Potter to put on the wall. And so, it was a pretty good explanation of where the paintings came from. And what I was looking for was the links that would bring me back to Norval Morrissette. And so, the link was obviously David Voss's father, to David Voss, to Ralph Schneidermann, to Potter. And so, for all of those reasons, this helped me to establish that, yeah, this painting was by Norval Morrissette.

25 Q. Okay. Do you know who Ritchie Sinclair is?

A. Yes.

Q. And have you come across him in your life?

A. Yes.

30 Q. And can you explain what experience you've had with him? How you came to know him?

A. I think I've spoken to him, perhaps, six or seven times in life.

Q. Okay.

5 A. He had an - he had a sale of art at the Scollard Gallery, which was about four doors down from my gallery on Scollard Street, and the show was, basically, a failure. And, at the same time, he posted absolutely mad blog in which he claimed paintings in the National Gallery, paintings in the Museum of Art in New York City, paintings that were in most of the museums in Canada, and paintings were in all of the major collections in North America, as, what he called, fake.

10 My understanding of it was that that caused an argument between himself and, or the gallery owner, and the gallery owner took down the paintings and said, "Take them away." At that time, I'm sure that Sinclair got the impression that, somehow, I was involved. And so, the next time he burst into my gallery, yelling and screaming, and waving his arms, and yelling at me, things like, "We're going to get you, man. We're going to kill the Morrisseau market, man. You're dead meat, man." My son was there, and he continued to rant and rave, and we asked him to leave. We reported it to the police. He then took to shouting at me on the street.

15 Q. On a different occasion?

20 A. Many occasions, belligerent, frightful. Finally, one night my alarms all went off. I have a flat up on the third floor. I came downstairs and Sinclair was on my veranda, plastered up against the window, yelling and screaming.

25 Q. And at what time of the night was this?

30 A. Probably 12:00, after 12:00. I phoned the police. He was warned to stay away from my gallery. He continued to harass me on the street. Finally, he - my daughter and I were coming back from lunch, and we got within about 20 feet of the stairs going up to our gallery, and he jumped out at me. I didn't know where he was coming from. It was either between two cars or

another doorway, and he was, again, ranting and raving at me, and he had someone taking pictures. I moved around him. I got to the other side. My daughter, who's a good strong girl, stood between us. I went up into my gallery. My daughter told him to get off the veranda. He backed off. We went inside. I phoned the police again, and at that time, I think they went to his home. He wasn't there. And then later he turned himself in, and he was arrested.

Q. Okay. You've heard talk that Mr. Sinclair was a protégé of Mr. Morriseau. In your travels of knowing the story of Norval Morriseau does Ritchie Sinclair figure into that?

A. The only way that he figures in is there is a letter. I don't if it's been part of this case or not, but it was when he was painting the paintings that were to be turned into tiles.

Q. And when you say, "he was painting the paintings"....

A. Norval.

Q. Okay.

A. He was living with a bunch of guys. One of them was Brian Marion, one of them was Wolfe, and they were living in downtown Toronto, and they were making a mess, and they weren't paying their rent. And he owed money on the space to Sundog Productions, and the woman who received the letter, I've talked with, and in the letter she says, it's written by Norval, "And this guy arrived from somewhere, and we can't get rid of him. He's supposed to be selling paintings, but he's useless and we're going to get rid of him." And those paintings ended up with the owner of Sundog Productions, and Norval then left Toronto, which was not uncommon, and he attached himself to Whetung's Gallery, which is north of Peterborough. They put him in a house in Coboconk. And when that happened, he was usually set up in such a way where the paints were paid for, the living condition was paid