

1 Q Let me ask you a question, Mr. Mercier. The Request  
2 for Production of Documents No. 10, Mr. Ackermann  
3 said something earlier on that, despite the existence  
4 of the trust, that he answered that no such document  
5 existed?

6 A Yes.

7 Q This asks for a copy of any trust instrument which  
8 Wilfred Bell is or has been a beneficiary --

9 A Uh-huh.

10 Q --trustee or owner for the past ten years; is that  
11 correct?

12 A Yes.

13 Q All right. And when you reviewed the trust, you saw  
14 that the only beneficiaries were Wilfred Bell's  
15 children; is that correct?

16 A I really don't remember, Mr. Durand. I couldn't tell  
17 you the contents of the trust as I sit here now.  
18 It's been years since I looked at it.

19 I do know that -- in all candor, when we received  
20 the trust documents -- trust documents are not  
21 something that we deal with as a personal injury  
22 firm. So this was almost a blanket, try to get  
23 anything related to this, just to make sure we have  
24 everything, you know.

25 We certainly knew there was a trust. We knew that \*

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we probably would not have insurance coverage because of the nature of the case. You know, insurance companies insure accidental conduct, not intentional conduct. And if we were going to make a recovery, it was probably going to come from this trust fund, you know. And we had the paperwork, so we felt good about it.

But we just wanted any other documents that were generated relative to it. And that's the language that I approved. It may or may not have been sufficient to generate, other than an answer, than what they gave. I would have to look at the actual trust documents to make an assessment of that. If you'd like me to, I can.

Q You'd agree with me -- well, first of all, if Wilfred Bell was not a beneficiary, was never a beneficiary and was never a trustee, then at least as to those first two items, the correct answer would be no?

A If that's, in fact, true.

Q Yes.

A I don't know if he transferred the funds and was some kind of beneficiary. And, quite frankly, I haven't looked at a trust document like this in a long time. I don't even know the context of the word "beneficiary." I just don't remember it. If it was

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