

MR. ROGERS, EXAM. BY MR. MERRICK

1 unsigned, although I see that it's been stamped on the
2 first page as having either been circulated or received.

3 A. Well, if it's stamped -- I think it's -- my
4 signature is there. It's simply obliterated.

5 Q. In any event, the paragraph I'm interested in is
6 down at the bottom of the first page under
7 "Considerations." And you're talking there about it
8 being necessary to bring the funding within normal
9 program maximum assistance levels. And I assume by that
10 you were talking about equity and that sort of thing?

11 A. Yeah.

12 Q. And then you make the sentence, "In subsequent
13 telephone conversations that day, Westray was apparently
14 successful in convincing the Province of Nova Scotia,
15 specifically Premier Buchanan, to assist the project.
16 Westray has stated that the Province will now buy one
17 million tonnes of coal from the new mine..." et cetera,
18 et cetera. Was this where the take-or-pay agreement came
19 from or what specifically did you understand had been the
20 commitment by the Province?

21 A. [No audible response]

22 Q. Or perhaps it --

23 A. I think it's -- I think --

24 Q. -- was the subordinated loan.

25 A. I think it's both. The take-or-pay first came to