March 4, 1947

Tuesday, 4 March 1947

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INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST
Chambers of the Tribunal
War Ministry Building
Tokyo, Japan

PROCEEDINGS IN CHAMBERS

on

Procedure in examination of a defense witness by one or more defense counsel, and cross-examination by prosecution counsel.

Before:

HON. SIR WILLIAM WEBB,
President of the Tribunal
and Member from the Commonwealth of Australia.

Reported by:

Antoinette Duda
Court Reporter, IMTFE

Appearances:

For the Prosecution Section:

MR. A. S. COMYNS CARR

MR. SOLIS HORWITZ

MR. PEDRO LOPEZ

BRIGADIER R. H. QUILLIAM

COLONEL L. N. SMIRNOV

MR. FRANK S. TAVENNER, Jr.

For the Lefense Section:

MR. OWEN CUNNINGHAM, Counsel for the accused OSHIMA, Hiroshi

MR. GEORGE A. FURNESS, Counsel for the accused SHIGEMITSU, Mamoru

MR. WILLIAM LOGAN, Jr., Counsel for the accused KIDO, Koichi

MR. FLOYD J. MATTICE, Counsel for the accused ITAGAKI, Seishiro, and MATSUI, Iwane

For the Office of the General Secretary, IMTFE:

MR. CHARLES A. MANTZ, Clerk of the Court

MR. H. W. DELANEY, Deputy Clerk of the Court

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The proceedings were begun at 0900.

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THE PRESIDENT: We are here on no papers, but to discuss the question of procedure in cross-examination of defense witnesses by counsel for the defendants who did not call those witnesses.

I suggest that there is not much difficulty, perhaps, about the position except in regard to re-examination; but of course we desire to hear you fully.

MR. LOGAN: Well, Judge, in so far as witnesses called on individual phases are concerned, I do not think we would have any difficulty. There, of course, the witness would be called by the particular accused who is presenting his evidence.

THE PRESIDENT: Yes.

MR. LOGAN: And the method of procedure there, I fully agree with Brigadier Nolan, should be that all the accused complete their examination of the witnesses first, and then the prosecution's cross-examination, and if any redirect is necessary the accused should have an opportunity to do so. That, I think, is the procedure followed in national courts where there are many defendants.

THE PRESIDENT: In America, I suppose, if one defendant calls a witness, that witness can be

cross-examined by the other defendants.

MR. LOGAN: That is right, yes, and they are all bound, of course, by the testimony of the witness.

THE PRESIDENT: Yes. He may be hostile to the interests of the other defendants.

MR. LOGAN: That is right. But the general procedure is, I think, if the defendants finish with the witness, then the prosecution cross-examine, and then redirect by the defendants. That, I think, would be better than the procedure whereby the prosecution would cross-examine before any other defendant conducted any examination. It would simplify matters, I believe.

THE PRESIDENT: Well, up to the point of re-examination I did not anticipate there would be any contest. But what is the position then? The re-examination is conducted in the first place by counsel for the defendant who called the witness.

MR. LOGAN: That is right. Then, any other defendant who wishes to re-examine--

THE PRESIDENT: Well, he, of course, has cross-examined, and he has no right to re-examination, unless by permission.

MR. LOGAN: Or it might be with respect to something the prosecution has brought out on their

cross-examination.

THE PRESIDENT: That is why I suggested to the Japanese counsel the other day that he would have to get our permission to re-examine, because it would be further cross-examination, really.

MR. LOGAN: But, of course, he would be confined to the matters which had been brought out by the prosecution on cross-examination.

THE PRESIDENT: But he is a cross-examiner, and re-examination by him does not exist, actually. It is further cross-examination, and then only with permission. But I do not think there would be any practical difficulty because if anything prejudicial to one of the defendants is brought out by the prosecution in the course of examining a witness for another defendant, the Court is almost bound to permit the further cross-examination.

MR. LOGAN: Yes.

THE PRESIDENT: In the interests of justice. I think we will decide that when it arises. It may never arise.

I haven't heard Mr. Carr on these things. But you had better complete what you have to say.

MR. LOGAN: Yes.

The second point presents more difficulties.

That is with respect to witnesses called on these general phases. Of course, these phases have been arranged to try and expedite the trial and present formal matters, more or less. But I believe we might run into a situation where a witness takes the stand and he may testify adversely to some of the accused. Presumably the idea is that these witnesses are testifying for all the accused on the general phases; but that actually may not be so.

THE PRESIDENT: Well, apparently it isn't.

MR. LOGAN: No, that is true. Of course, the witness should be called on behalf of some accused. Now, as you probably can realize, there is a practical matter. Some of the attorneys who are examining these witnesses on the general phase -- it is within his division -- and it may not affect his client at all. He may not be particularly interested in it, but he is just conducting that particular division of the case. We don't feel that it would be fair for an attorney who is doing it on behalf of the general phase to say that he is calling that witness on behalf of his client alone. If it would be just understood that the same procedure could be followed with respect to the general phase as what we contemplate on the individual phases, that might simplify the

examinations.

THE PRESIDENT: Is anything being put on in any of the phases with which any of the defendants disagree?

MR. CUNNINGHAM: Yes.

MR. LOGAN: Well, that is difficult to say, Judge. As you know, the practice here will probably result the same as it would in a national court. You know there are instances where a defendant will put a witness on the stand and think he is going to testify to one thing and he may testify entirely differently. And it may hurt the client of the attorney who is conducting examination; it may hurt somebody else. All the accused are not in a position to know what each witness is going to testify to on these general phases, and they can't know.

MR. FURNESS: Well, to be perfectly frank, if the evidence follows the general opening statement and some of the opening statements which will be made, it will be inconsistent with the defenses of some of the defendants, there is no doubt whatever.

THE PRESIDENT: There appears to be some, not hostility, but inconsistency, between the views of the diplomats and the ministers, on the one hand, and the soldiers on the other.

MR. FURNESS: That is inevitable, with twenty-six--

THE PRESIDENT: That may arise in the case of Manchuria, China.

MR. LOGAN: Testimony might well come out in these general phases where it would be necessary for these attorneys to cross-examine these witnesses.

MR. FURNESS: That is inevitable, I think, with twenty-six men on the stand, as it is now.

THE PRESIDENT: Have you any suggestions about overcoming that? Do you want each defendant to have the right to cross-examine to whatever extent is necessary?

MR. LOGAN: I think that would be fair. We may have the situation where the attorney who is calling the witnesses finds that the witness is hostile to his client. I mean, that might readily develop. It has happened in national courts.

MR. CUNNINGHAM: Well, your Honor, on that proposition there are several witnesses who are subject to call by several different defendants, and it depends, of course, upon whether we are allowed to call the witness more than once. But if the defense feels that it is convenient to examine that witness while he is on the stand rather than call him back, then his

examination should be conducted by direct examination, then, and not cross-examination.

MR. LOGAN: In other words, we may reach the situation, Judge, where the witness is called on behalf of all the accused and examination conducted by one attorney and some other attorney may want to examine him on direct.

MR. TAVENNER: But not on the same subject matter.

MR. LOGAN: It might cover a different subject matter while he is still on the stand.

MR. FURNESS: If you don't repeat the questions, the other counsel won't increase the length of time he is on the stand at all.

MR. CUNNINGHAM: There may be instances where we will bring a witness, say, from some place far away, and to avoid the witness' staying two or three or four months awaiting that part of the case, certainly we ought to be able to examine him directly and preserve his testimony rather than examine him outside. So we must adopt a compromise rule to permit those who are interested in direct examination to also conduct a direct examination, and then those who are interested adversely can conduct a cross-examination.

MR. TAVENNER: May I make a suggestion at this time?

THE PRESIDENT: Yes.

MR. TAVENNER: We have prepared a set of proposed rules, copies of which have been given to counsel.

THE PRESIDENT: I had better read them for the purposes of the record.

"1. Except with the previous permission of the Tribunal no defense witness shall be called more than once."

We have given that permission to the prosecution and will be inclined to extend that to the defense. Perhaps somewhat more than inclined; perhaps we feel under obligation to do so.

"2. Counsel calling a witness shall in all cases state on behalf of which defendant or defendants he is called, and without the special permission of the Tribunal not more than one counsel shall examine him in chief."

That is quite reasonable.

"3. If, but only if, a witness gives evidence against the interest of some other defendant, counsel for that defendant may cross-examine him and shall do so immediately after the direct examination or

examinations."

Well, that is the main question, and that seems to be the only way to decide it.

"4. Counsel for the prosecution shall cross-examine after examination or cross-examination by counsel for the accused is completed. Without the special permission of the Tribunal not more than one prosecuting counsel shall cross-examine."

Obviously so. There is no contest about that rule.

"5. Without the special permission of the Tribunal, not more than one defense counsel shall re-examine."

He has already cross-examined. The question is whether he shall be entitled to further cross-examination.

MR. LOPEZ: Re-examine on redirect. That is the purpose of No. 5.

THE PRESIDENT: Well, there could only be one re-examination in any circumstances, conducted by the counsel whose client called the witness. He would examine in chief. There would be cross-examination by others, and then he, the counsel whose client called the witness, would re-examine. But "re-examine" isn't the term you would apply to questioning by counsel in

other interests. There would be further cross-examination.

MR. LOGAN: I might say this Item 2 is the one that might give trouble on these general phases.

MR. FURNESS: No. 2 and No. 3, I think.

MR. CUNNINGHAM: No. 1, too. There can't be agreement on 1.

MR. LOGAN: As I explained, a witness may be produced on one of these general divisions and the attorney who is going to conduct the examination may not be particularly interested in his testimony in so far as his own client is concerned, but it is just that he is called in assisting in the general phase.

MR. FURNESS: Isn't it also true that under the Charter and the Court's rules, each defendant should have counsel of his own choice? He has not chosen this man to conduct the complete examination. He is entitled to--

THE PRESIDENT: There is some reference in the Charter to reasonable limitation being placed by the Court on the right.

MR. LOGAN: The accused has the right to examine each witness.

The point I am trying to make, Judge, is that we are trying to conduct this defense as orderly

as possible, and in these general phases it is a different situation than in the individual phases.

THE PRESIDENT: I realize that.

MR. COMYNS CARR: Your Honor, might I suggest this: We are surely entitled to assume, unless we are told to the contrary, that a witness called on the general phase is being called on behalf of all the defendants. If they know in advance that there is some defendant who does not want to adopt that witness' evidence, that should be stated at the beginning of his examination.

THE PRESIDENT: I don't know one phase in which all the defendants are agreed. I don't know one phase yet, Mr. Carr. I would like to know that on all phases they were all agreed. But they have specified the defendants who do not agree on most phases.

MR. LOGAN: Then, again, you see, many of the accused do not know the testimony that the witness is going to give -- when I say accused, I mean the counsel -- when he is put on the stand in the general phase.

As a practical matter, though, what difference does it make whether he is put there on behalf of one accused or all? His testimony is binding on all of them. What we want to do is preserve the right of

cross-examination.

THE PRESIDENT: Is there complete unanimity among counsel for the defendants in this matter? If there were, we would have no difficulty; it would work all right. We would be able to deal with each situation as it arose then.

MR. LOGAN: Well, I think we are practically agreed, if the same procedure could be followed with respect to the general phases as what will be followed on individual phases.

MR. CUNNINGHAM: You see, your Honor, the difficulty is that there are several phases of the case in which several defendants are not interested at all and do not participate much in what goes on in those phases. Therefore, it is pretty hard to bind a defendant in a particular phase when he does not have his interest involved and does not participate in the general program building up that phase of the case, don't you see.

THE PRESIDENT: Yes.

MR. FURNESS: I think there is complete unanimity that each counsel thinks he should have the right to cross-examination and examine independently--

THE PRESIDENT: If something should arise prejudicial to him.

MR. FURNESS: Or if something to which that witness can testify should be developed by him and not by someone else.

MR. COMYNS CARR: Then it is additional examination in chief, and we were anxious to draw the distinction that counsel for another defendant to which the witness was unfriendly shouldn't be permitted to claim the right to cross-examine him and get out, by right of leading questions, testimony he might not be able to get by examining him in chief. Either the counsel should make up his mind whether he is treating the witness as his own witness or whether he is treating him as hostile.

MR. CUNNINGHAM: You see, your Honor, we are trying to get out of the witness all the facts in the issues in the interests of each individual. If we draw a line preventing that witness from telling what he knows which would be helpful to the Court on account of some strict rule of examination, then we are being handicapped, don't you see? The witness should be permitted, when he is on the stand, to tell what he knows regardless of rules, and any defendant or defendant's counsel who has some pertinent question which is relevant to the issues should be able to bring out of that witness what he expects that witness to

testify. There isn't any doubt that ought to be the rule.

MR. FURNESS: Isn't that the rule, Article 15e: "The prosecution and each accused (by counsel only, if represented) may examine each witness and each accused who gives testimony."

MR. LOGAN: I don't think anybody denies that. It is just a question of how we can do it most expeditiously so there wouldn't be confusion.

MR. COMYNS CARR: What we have to guard against here is we do not want to have counsel examining a friendly witness with the opportunity of putting words into his mouth, which he would have by cross-examination.

MR. LOGAN: Well, I don't think that condition will arise, Mr. Carr. For example, if a witness is called in one of these general phases, he is examined by counsel A, and counsel B feels that that witness has more information that he would like to have brought out, B should be given the opportunity to examine that witness in chief. And it may be that attorney C might disagree with something the witness has said and wishes to cross-examine.

I think a rule could be adopted whereby B could examine in chief and C could cross-examine if he saw fit, and maybe D and E might want to cross-examine,

too.

MR. LOPEZ: My thought is, for practical purposes, Mr. President, before a witness is made to testify on the witness stand, more or less A, B and C defendants, for example, know beforehand whether he would be quite hostile or friendly to them and what would be the nature of his testimony favorable to B and C not presented on the stand by A on his part of the case. If B and C counsel have any knowledge that the particular witness X, for example, has something good to say about B and C, B and C could go to A and say, "Could you ask him the following questions, please, in our favor?" That avoids confusion. If we allowed the rule to be so relaxed as to permit the counsel for twenty-six defendants to conduct examination in chief, this trial would be endless.

MR. LOGAN: Well, I don't think--

THE PRESIDENT: We won't allow that. We won't allow twenty-six defendants.

MR. COMYNS CARR: May I mention that at Nuernberg, we are informed -- Colonel (Smirnov), here, was present, and he tells us that at first they adopted the rule which the defense are asking for; namely, that as many defense counsel as liked could examine in chief. But they found so much time was taken up that they made

a strict rule that only one should examine in chief, and any other defendant who wanted questions put on his behalf should have to get them put by that counsel.

We are not asking for that rule in strictness, but it should be applied subject to the permission of the Court.

MR. LOGAN: Did they have general phases in Nuernberg?

MR. CUNNINGHAM: No, they did not.

MR. LOGAN: That is the answer to that.

MR. COMYNS CARR: That may be.

But something to this point about stating on whose behalf he is called. I can see the defendants' difficulty about that. But subject to that, there doesn't seem to be any particular difference between the rules in the individual phase and those in the general phase.

MR. LOGAN: I say, if something like that could be worked out, I think we would all be satisfied.

In respect to what Mr. Lopez said, it is practically impossible for the accused or their attorneys to know the testimony the witness is going to give before he is put on the stand. The one who is conducting examination, of course, knows. But there are so many accused and we all have so much to

do that we can't follow everything, Mr. Lopez. All of us do not know the testimony a witness is going to give when he is put on these general phases.

MR. LOPEZ: But Mr. Logan would not deny the fact that for all practical purposes, Mr. President, examination in chief is never conducted in the manner of cross-examination, as if you were fishing. You would know beforehand what he would testify to in direct examination in chief. You never put any question in examination in chief unless you know it is going to be favorable and is in favor of your defendant. And I venture to say that if any witness is presented by A, for example, in the courtroom, B and C would never ask him any other question unless he knew beforehand what he was going to testify to, and he would not know it unless counsel for B and C had interviewed the witness beforehand.

MR. LOGAN: That is true, in part.

MR. LOPEZ: Yes, for practical purposes.

MR. LOGAN: That is true in part. But you see, in this general phase if the witness is put on as representing all the accused, B and C wouldn't have the opportunity of examining in chief on other matters they think they can get from this particular witness.

MR. LOPEZ: There are exceptions to the rule,

and that is why it ought to be left to the sound discretion of the Court. If there is reasonable ground for them to take advantage of the excertion, let that exception be administered in their favor. But not otherwise, Mr. President.

MR. LOGAN: I think the defense could be trusted here not to engage in undue cross-examination of these witnesses.

MR. LOPEZ: We are not concerned with the cross-examination. We are concerned with the direct examination.

MR. LOGAN: The same thing is true with the examination in chief.

THE PRESIDENT: What is the American practice in this matter?

MR. MATTICE: If your Honor please, almost exactly as outlined in these lines, here (referring to document), both in the national courts and the state courts.

THE PRESIDENT: In the points handed in by Mr. Tavenner.

MR. LOGAN: Of course, that is exclusive of phases.

MR. MATTICE: Yes, we never have lawsuits in which we have phases as we have here.

THE PRESIDENT: What is the English practice, Mr. Carr?

MR. COMYNS CARR: Substantially as here. The point in Rule 2 about stating on whose behalf he is examining hardly arises in practice because we very seldom have cases with so many defendants.

MR. LOGAN: Or phases.

MR. COMYNS CARR: But you always know on whose behalf he is called. Otherwise, I think these rules apply to our practice, also.

MR. TAVENNER: But I have seen that very thing done a number of times that we have asked to be done here, and that is for counsel to state in whose behalf he is calling a witness when he puts him on the stand.

THE PRESIDENT: Mr. Carr says he didn't expect that here on the general phases. But perhaps he is taking a practical viewpoint. Counsel calling the witness wouldn't say he represented all the defendants. I suppose he would be satisfied to say, he appears for mine; he is speaking on behalf of my client. That would give an open door for other defendants. I don't know how that would work out.

MR. LOGAN: That is a point we discussed at our meeting, and as I explained earlier, it may very

well be this witness who is being examined is in no way related to the case of the particular attorney who is conducting direct examination, and the expression was made that he didn't think it fair to be asked to have this witness made his witness when he was just doing it for the benefit of the general phase.

THE PRESIDENT: What Mr. Carr did suggest -- it wouldn't be fair to ask you to say on whose behalf you were calling the witness. I don't see why it wouldn't be fair, but it wouldn't be practical. What have you to say about that, Mr. Carr? You have some good reason which I'd like to know.

MR. COMYNS CARR: Well, your Honor, we observed during the openings that an opening which we thought was being made on behalf of all the defendants turned out, after a time, that some dissented from it. And in the same way with regard to a witness, unless we know who are the people who are dissociating themselves from it beforehand, we don't know those who aren't entitled to claim either to examine separately or cross-examine.

THE PRESIDENT: I will have to adjourn further consideration of this matter until one o'clock. Will that suit everybody? Or I could make it four.

MR. LOGAN: One o'clock.

THE PRESIDENT: One o'clock.

(Whereupon, at 0930 the proceeding was adjourned.)

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The proceedings were resumed, pursuant to adjournment, at 1310.

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Appearances:

For the Prosecution Section, same as before.

For the Defense Section, same as before with the addition of FRANKLIN E. WARREN, Counsel for the Accused DOHIHARA, Kenji and OKA, Takasumi.

For the Secretariat, same as before.

Before:

HON. SIR WILLIAM WEBB,
President of the Tribunal
and Member from the Commonwealth
of Australia.

Reported by:

Jack Greenberg
Chief Court Reporter
IMTFE

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THE PRESIDENT: Has anybody any additions to make to the debate?

MR. LOGAN: I do not know, Judge. I think we have explained our position this morning. There is nothing more, I think, that we can add.

THE PRESIDENT: Well, you do not agree with Mr. Tavenner's position of this morning?

MR. LOGAN: Except for two and five.

THE PRESIDENT: But for individual cases there is no objection. It is only on the phases that you have objection, isn't it?

MR. LOGAN: It is the phases that are troubling us.

MR. CUNNINGHAM: We do not know. We have not arrived at that individual problem yet. We cannot tell just exactly how that will develop.

But on this, number one, is there agreement on number one, Mr. Logan, that the witness shall only be called once?

MR. LOGAN: Without permission of the Tribunal. Well, that is the course that was followed.

MR. TAVENNER: That means that permission should be obtained, when the witness is on the stand the first time, to bring him back again, if you expect to bring him; not to wait until the second time.

MR. CUNNINGHAM: The point is that we should be aware before he comes the first time as to whether or not he should be prepared to testify as to that particular thing, or if he should be prepared to testify as to all that he knows, or if we are going to have permission to get him back the second time. We should not have that a matter of speculation.

MR. LOGAN: As a matter of fact, that matter is still pending before the Court in a motion that we made.

THE PRESIDENT: Do you think there is too much between you two to attempt an agreement on these matters? The Court would prefer that if you would reach one.

MR. LOGAN: We will see what we can do, Judge.

MR. WARREN: There is one observation I should like to make, your Honor. That is this: Our problem is not nearly so simple as the prosecution's with reference to these witnesses because we have an

individual case to prepare for every man in that box. Some times these witnesses are called in, and we do not know they are there; and they could be placed on the witness stand without our previous knowledge that somebody else would use them. Inasmuch as this is a common trial and not a joint trial -- if it were a joint trial, we could have a chief counsel, as the prosecution has, to be able to correlate everything. That would be one proposition; but it is impossible to do that. And I should like to urge the Tribunal to take that into consideration on this ruling with reference to witnesses because otherwise we are going to be in trouble, and we are liable to do inestimable damage to the accused.

I do not think you will find that there will be any abuse of the rule; and, wherever we can, of course, we will inform the Tribunal that we intend to use the witness again.

MR. FURNESS: Furthermore, of course, the case is not all prepared at once. We are preparing the later phases as the first phases go on, just as the prosecution did, and we may not know if we need this witness again.

MR. WARREN: That is another item. Then this problem presents itself: It is quite impossible

for those of us who are working on other phases. Because of the shortness of time, we have to help, of course, on our first phase of this case, and it is quite impossible for many of us to be in court and watch these witnesses at all times. The witness may be called and be off the witness stand before we are even aware of it. And we have to continue going, and we have to keep setting our deadline up, and our deadline up as to the time we are going to be in court, and it presents a great many problems that the prosecution was never confronted with nor could not be confronted with.

MR. CUNNINGHAM: Your Honor, on number one, would it not be better if we just had the rule to announce in open court, at the time the witness is leaving the stand, that he will be recalled for such and such a purpose rather than getting the permission of the Tribunal, so that we can rely when we call on him that his testimony is not to be exhausted or that we are not asking permission?

THE PRESIDENT: I think we would have to exercise some control.

MR. LOGAN: Well, that number one is pending before the Court in a motion that has been made. I mean, it does not properly belong here.

THE PRESIDENT: We have to exercise some control.

MR. WARREN: Here is another situation, your Honor. I am calling this to your Honor's attention so that you may be fully apprised of our situation. On these general, overall phases, we put a witness on, and it may be that he may be able to testify in favor of one accused and that his testimony might be detrimental to another accused. In such case we should like to reserve that witness until the individual cases are put on. I think we will save the time of the Tribunal, and it will certainly give us an opportunity to stay out of the courtroom and prepare these other phases. Otherwise, we will have to be in there to protect the interests of our clients if a witness goes on who is antagonistic to the interests of our clients.

MR. TAVENNER: We would object to that because it would put the prosecution in the position of having to cross-examine on one matter before that witness is heard on all of the matters.

MR. LOGAN: Well, that situation is the same as what we had.

MR. WARREN: The same as what we were confronted with you. We did it all the time.

MR. FURNESS: TANAKA.

MR. TAVENNER: I understood you to mean that when a witness took the stand you wanted the right to examine him later on matters that he had touched on in his examination. That is what I understood you to mean.

MR. WARREN: No. A witness goes on in a general phase, and he testifies generally as to matters which concern all the accused. He may have further and additional testimony which goes to the benefit of another accused in the box but which might be detrimental to a third or fourth; and if we are required to exhaust all of his testimony at the time he comes on the witness stand the first time, it would mean that every defense counsel would have to be in the courtroom at all times that witnesses are on and that we couldn't go ahead and prepare our case.

MR. TAVENNER: I see your point. I thought you meant he would go ahead and testify as to one and that you still wanted the right to examine as to others.

MR. WARREN: No, I didn't mean that.

MR. LOGAN: Do you think there is a possibility of getting together, Mr. Horwitz, to see if we

can do something? I think maybe we could.

MR. FURNESS: I thought we were ready to get together this morning.

THE PRESIDENT: We would like complete agreement on this if we could get it. We may not.

MR. LOGAN: I think we can do it.

THE PRESIDENT: That is more satisfactory.

MR. WARREN: I think we can.

MR. LOGAN: I think so.

THE PRESIDENT: We will meet you again, gentlemen. As soon as you are ready on it, we will be prepared to meet you.

(Whereupon, at 1310, the proceedings were concluded.)

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