

FILLMORE RILEY

FILLMORE RILEY LLP • BARRISTERS, SOLICITORS AND TRADE MARK AGENTS
A MEMBER OF RISK MANAGEMENT COUNSEL OF CANADA

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Our File Number: 416690-1/RDM
FRDOCS_1062246.5

April 2, 2008

Commissioner for the Taman Inquiry
Room 30 – 200 Vaughan Street
Winnipeg, MB R3C 1T5

Attention: Vincent Clifford, Associate Commission Counsel

Dear Sir:

**Re: Taman Inquiry into the Investigation and
Prosecution of Derek Harvey-Zenk
Disclosure by East St. Paul Police Service**

You will recall our discussions about production of radio transmission logs and cell phone records for the cell phones carried by East St. Paul Police Services' members on the day of the Taman accident. I can now confirm for you that there are no radio transmission logs available. However, cell phone records for February 25, 2005 for the officers involved in the investigation have now been secured.

Former Chief Bakema's cell phone number was [REDACTED]. A transcript of calls made and received on February 25th is attached. According to Chief Carter, the records show the following calls having been made:

Time	Number Called	Party Called
7:37 a.m.	[REDACTED]	East St. Paul Police Dispatch
9:23 a.m.	[REDACTED]	East St. Paul Police Dispatch
9:36 a.m.	[REDACTED]	East St. Paul Police Dispatch
9:36 a.m.	[REDACTED]	East St. Paul Police Dispatch
9:44 a.m.	[REDACTED]	Royal Dodge Jeep Chrysler
9:47 a.m.	[REDACTED]	Voice mail
11:02 a.m.	[REDACTED]	Sgt. Shift Supervisor – Division 13
11:02 a.m.	[REDACTED]	Division Commander – Division 13
11:19 a.m.	[REDACTED]	Voice mail
11:19 a.m.	[REDACTED]	Division Commander – Division 13
11:20 a.m.	[REDACTED]	Division Commander – Division 13



Practicing Excellence
ISO 9001

12:06 p.m.		Voice mail
12:06 p.m.		Stuart Atwood
12:07 p.m.		Stuart Atwood
12:45 p.m.		Rosenna Bakema
2:07 p.m.		Voice mail
2:07 p.m.		East St. Paul Police out line
2:50 p.m.		Norm Moskal
3:17 p.m.		L.M. Hulst
3:55 p.m.		Voice mail
4:18 p.m.		Deputy Chief of Operations

The record also shows seven incoming calls between 9:25 a.m. and 9:38 p.m.

Also attached is the February 25th, 2005 MTS record for cell phone number [REDACTED]. This telephone was assigned to then Sergeant Carter. It shows four out calls on February 25th as follows:

Time	Number Called	Party Called
9:48 p.m.	[REDACTED]	Fido phone
9:49 p.m.	[REDACTED]	Fido phone
10:35 p.m.	[REDACTED]	Carter residence
11:15 p.m.	[REDACTED]	Carter residence

The record also shows five incoming calls between 8:07 a.m. and 8:45 p.m. Chief Carter believes that the 8:07 call was from Police Dispatch.

Cell phone number [REDACTED] was assigned to police vehicle RM 2 which is believed to have been in the custody of Constable Woychuk. The record for that cell phone for February 25th is also attached.

The cell phone assigned to East St. Paul Police Service vehicle RM 3 is [REDACTED]. It was in the custody initially of Constable Pedersen who subsequently changed vehicles with Constable Krawchuk. A transcript of the phone record for February 25th, 2005 is attached.

The cell phone assigned to East St. Paul Police Service vehicle RM 4 is [REDACTED]. This vehicle was assigned to Constable Graham and Chief Bakema. A copy of the transcript of calls made from that cell phone on February 25th is attached.

I also asked Chief Carter to provide me with copies of any other notes that he may have relative to this matter which have not already been disclosed. Chief Carter has now reviewed his entire file and has found some other handwritten notes that he made at various times and in various places, including his office day timer. I have copied all of those individual notes which comprise 35 pages. A set of those notes is also enclosed herewith. If you would like to discuss or question Chief Carter about these notes informally or on the record, please let me know and those arrangements can be made. These notes are being disclosed because Chief Carter may refer to them to refresh his memory when he testifies at the Inquiry.

If you have any questions or require anything further concerning these enclosures,
please let me know.

Yours truly,

FILLMORE RILEY LLP

Per:



R. D. McDONALD

RDM/kmh

cc: East St. Paul Police Service
Attn: Chief Norman Carter

ACCOUNT NUMBER 3709085

BILL DATE Mar 22, 2005

PAGE 3 OF 25

DETAILS FOR CELLULAR ~~XXXXXXXXXXXX~~

HARRY BAKEMA
EAST ST PAUL POLICE
Monthly Charges

Feb 25

12-07-05	XXXXXXXXXXXX	MINNIDNB 204-668-8331	PK	1.000	.00	0.00	FREE
13-08-05	XXXXXXXXXXXX	XXXXXXXXXXXX	PK	1.000	.00	0.00	FREE
14-09-05	XXXXXXXXXXXX	XXXXXXXXXXXX	PK	2.200	.20	0.44	0.44
15-09-05	XXXXXXXXXXXX	XXXXXXXXXXXX	PK	1.000	.20	0.20	0.20
16-09-05	XXXXXXXXXXXX	XXXXXXXXXXXX	PK	1.000	.20	0.20	0.20
17-09-05	XXXXXXXXXXXX	XXXXXXXXXXXX	PK	4.517	.00	0.00	FREE
18-09-05	XXXXXXXXXXXX	XXXXXXXXXXXX	PK	2.100	.20	0.42	0.42

CODE: CF-Denotes Call Forwarding PK-Peak Airtime
 C3-Denotes Three-way Calling OP-Offpeak Airtime
 CW-Denotes Call Waiting O2-Other
 LD-Long Distance

ACCOUNT NUMBER 3709085
BILL DATE Mar 22, 2005
PAGE 8 OF 25

Feb 25

20 08:07A	WINNIPEGMB	INCOMINMB	PK	1.000	.20	0.20	0.20
21 02:04P	WINNIPEGMB	MEMBERSH	PK	1.000	.00	0.00	0.00
22 07:52P	WINNIPEGMB	INCOMINMB	O2	2.767	.20	0.55	0.55
23 08:49P	WINNIPEGMB	INCOMINMB	O2	1.000	.20	0.20	0.20
24 08:43P	WINNIPEGMB	INCOMINMB	O2	1.633	.20	0.33	0.33
25 08:43P	WINNIPEGMB	INCOMINMB	O2	6.833	.20	1.37	1.37
26 09:40P	WINNIPEGMB	WINNIPEMB	O2	1.000	.20	0.20	0.20
27 09:40P	WINNIPEGMB	WINNIPEMB	O2	1.600	.20	0.32	0.32
28 10:40P	WINNIPEGMB	WINNIPEMB	O2	1.000	.20	0.20	0.20
29 11:18P	WINNIPEGMB	WINNIPEMB	O2	1.000	.20	0.20	0.20

Feb 26

LD-Long Distance

ACCOUNT NUMBER 3709085
BILL DATE Mar 22, 2005
PAGE 20 OF 25

DETAILS FOR CELLULAR # [REDACTED]

RMZ

RM3
EAST ST PAUL POLICE
Monthly Charges

Detail of Usage

ITEM	DATE	WHILE	CALL	RATE	CALL
	TIME	IN	DESTINAT'N NUMBER	CD PD MIN	RATE CHARGE COST
Feb 25					
1	07:55A	WINNIPEGMB	BRANDONMB 204	PK 1.000 .20	0.20 0.20
2	09:48A	WINNIPEGMB	BRANDONMB 204	PK 4.283 .20	0.86 0.86
3	07:31P	WINNIPEGMB	WINNIPEMB 204	O2 1.367 .20	0.27 0.27
4	07:32P	WINNIPEGMB	MEMBERCMB 204	O2 1.467 .00	0.00 0.00
5	07:58P	WINNIPEGMB	MEMBERCCL 204	O2 1.567 .00	0.00 0.00
6	08:47P	WINNIPEGMB	WINNIPEMB 204	O2 4.100 .20	0.82 0.82
7	09:37P	WINNIPEGMB	WINNIPEMB 204	O2 1.000 .20	0.20 0.20
8	09:38P	WINNIPEGMB	WINNIPEMB 204	O2 1.650 .20	0.33 0.33
9	09:54P	WINNIPEGMB	MEMBERCMB 204	O2 1.000 .00	0.00 0.00
10	10:26P	WINNIPEGMB	WINNIPEMB 204	O2 3.967 .20	0.79 0.79
11	10:30P	WINNIPEGMB	WINNIPEMB 204	O2 4.533 .20	0.91 0.91
12	11:30P	WINNIPEGMB	MEMBERCMB 204	O2 1.000 .00	0.00 0.00

ACCOUNT NUMBER 3709085
BILL DATE Mar 22, 2005
PAGE 23 OF 25

Detail of Usage

ITEM	DATE	WHILE	CALL	DESTINAT'N NUMBER	RATE			CALL	
					CD	PD	MIN		RATE
18	11:52P	WINNIPEGMB	WINNIPEMB	204	OP	1.000	.20	0.20	0.20
Feb 25									
19	08:50A	WINNIPEGMB	MEMBERCMB	204	PK	2.550	.00	0.00	0.00
20	10:55A	WINNIPEGMB	WINNIPEMB	204	PK	1.350	.00	0.00	FREE
21	11:18A	WINNIPEGMB	WINNIPEMB	204	PK	1.000	.00	0.00	FREE
22	11:20A	WINNIPEGMB	INCOMINMB	204	PK	1.750	.20	0.35	0.35
23	11:23A	WINNIPEGMB	MEMBERCMB	204	PK	2.017	.00	0.00	0.00
24	11:56A	WINNIPEGMB	WINNIPEMB	204	PK	1.867	.20	0.37	0.37
25	12:08P	WINNIPEGMB	MEMBERCMB	204	PK	2.417	.00	0.00	0.00
26	12:16P	WINNIPEGMB	INCOMINMB	204	PK	3.100	.20	0.62	0.62
27	01:45P	WINNIPEGMB	MEMBERCCL	204	PK	2.733	.00	0.00	0.00
28	02:57P	WINNIPEGMB	WINNIPEMB	204	PK	1.067	.20	0.21	0.21
29	04:43P	WINNIPEGMB	WINNIPEMB	204	PK	1.000	.00	0.00	FREE
30	07:02P	WINNIPEGMB	WINNIPEMB	204	O2	1.000	.20	0.20	0.20
31	07:32P	WINNIPEGMB	MEMBERCCL	204	O2	1.467	.00	0.00	0.00
32	07:58P	WINNIPEGMB	MEMBERCMB	204	O2	1.567	.00	0.00	0.00
33	11:30P	WINNIPEGMB	MSG CENMB	204	CFO2	1.000	.00	0.00	FREE
Feb 26									

LD-Long Distance

ACCOUNT NUMBER 3709085
BILL DATE Mar 22, 2005
PAGE 14 OF 25

Detail of Usage

ITEM	DATE	WHILE	CALL	RATE	CALL
	TIME	IN	DESTINAT'N NUMBER	CD PD MIN RATE CHARGE COST	
18	11:08P	WINNIPEGMB	MEMBERCMB 204	OP 1.000 .00 0.00 0.00	
	Feb 25				
19	04:53A	WINNIPEGMB	WINNIPEMB 204	OP 3.333 .20 0.67 0.67	
	06:06A	WINNIPEGMB	WINNIPEMB 204	PK 1.000 .00 0.00 FREE	
2	08:23A	WINNIPEGMB	SELKIRKMB 204	PK 1.000 .20 0.20 0.20	
2	08:23A	WINNIPEGMB	WINNIPEMB 204	PK 1.000 .20 0.20 0.20	
2	08:23A	WINNIPEGMB	SELKIRKMB 204	PK 1.000 .20 0.20 0.20	
2	08:23A	WINNIPEGMB	WINNIPEMB 204	PK 1.000 .20 0.20 0.20	
2	08:58A	WINNIPEGMB	MEMBERCMB 204	PK 2.550 .00 0.00 0.00	
2	08:58A	WINNIPEGMB	SELKIRKMB 204	PK 1.000 .20 0.20 0.20	
2	08:58A	WINNIPEGMB	WINNIPEMB 204	FWPK 1.633 .20 0.33 0.33	
2	08:58A	WINNIPEGMB	WINNIPEMB 204	PK 1.033 .00 0.00 FREE	
2	08:58A	WINNIPEGMB	WINNIPEMB 204	PK 1.583 .00 0.00 FREE	
3	08:58A	WINNIPEGMB	MEMBERCMB 204	PK 2.017 .00 0.00 0.00	
3	08:58P	WINNIPEGMB	MEMBERCMB 204	PK 2.733 .00 0.00 0.00	
3	08:58P	WINNIPEGMB	MEMBERCMB 204	PK 1.000 .00 0.00 0.00	
3	08:58P	WINNIPEGMB	MSG CENMB 204	PK 1.000 .20 0.20 0.20	
3	08:58P	WINNIPEGMB	MSG CENMB 204	FFPK 1.000 .00 0.00 FREE	
3	07:58P	WINNIPEGMB	MSG CENMB 204	FO2 1.000 .00 0.00 FREE	
3	08:58P	WINNIPEGMB	MSG CENMB 204	FO2 1.000 .00 0.00 FREE	

Feb 26

MTS ALLSTREAM

1

URGENT MESSAGE

To	Ann	Date	2/10/05
From	Marilyn Minnik		
Company			
Telephone	[Redacted]	Fax	
Cellular			
Email			
Message	Please call me. date to get together re ZENIC Prosecution		
Signature	[Redacted]		

Also: 700 860-209-1411/1152

X

[Handwritten mark]



Friday
6902
Marty Mink

(2)

17 Friday 048/317

18 Saturday 049/316

19 Sunday 050/315

February

WEEK 8

PHASES OF THE MOON - FEBRUARY

5D 13O 21D 27●

JANUARY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

MARCH

S	M	T	W	T	F	S
			1	2	3	4
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19	20	21	22	23	24	25
26	27	28	29	30	31	

10 ~~WAS SQUEE~~
 30 TH FROM
 COMMON BEAT
 DRY + MAN
 11 ~~ALWAYS THINK~~
 TO BE A SET

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4	15	30	45
5	15	30	45
6	15	30	45

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5	15	30	45
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4	15	30	45
5	15	30	45
6	15	30	45

TO DO TODAY

TO DO TODAY

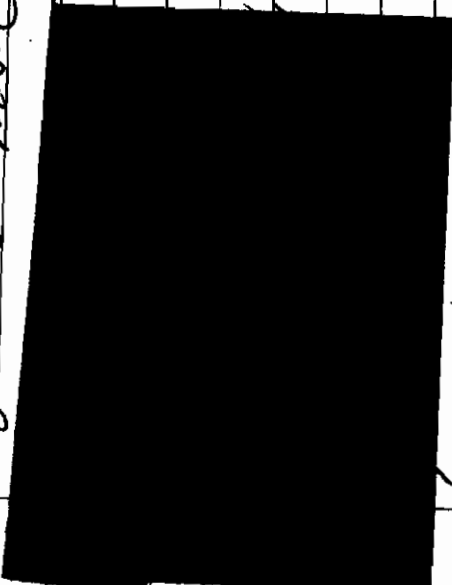
TO DO THIS WEEK

✓

TO DO TODAY

5

06-02-20 MDC



USA raised expected level
Marty think.
need date to be
set.

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Monday
051/314

21
Tuesday
052/313

22
Wednesday
053/312

23
Thursd
054/311

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Handwritten notes:
 Monday
 Tuesday
 Wednesday
 Thursday
 Friday
 Saturday
 Sunday

20 Monday
051/314

21 Tuesday
052/313

22 Wednesday
053/312

23 Thursday
054/311

4

45	45
TO DO TODAY	
	Propose
	Harvey
	fill
	M. M.

24 Friday 055/310

25 Saturday 056/309

26 Sunday 057/308

February

7

WEEK 9

PHASES OF THE MOON - FEBRUARY

5D 13O 21O 27●

JANUARY

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29	30	31				

FEBRUARY

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TODAY

TO DO TODAY

S

TO DO THIS WEEK

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TO DO TODAY

1928 Approved

File for Howard

Marshall

Henry Woodbury Smith

02113 Woodbury Smith

D

114

06-02-24 24

020812 report re
Guey

020812 report with
Maurice Munn

sp. Henry Woodbury
Smith

(8)

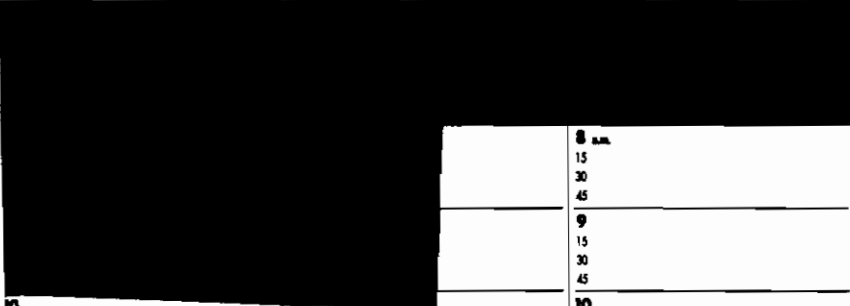
9

21 Friday
111/254

22 Saturday
112/253

23 Sunday
113/252

April



10
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12 a.m.
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*Call Mar...
M...
1300 M*

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WEEK 17
PHASES OF THE MOON - APRIL
5D 13O 21D 27●

MARCH

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26	27	28	29	30	31	

APRIL

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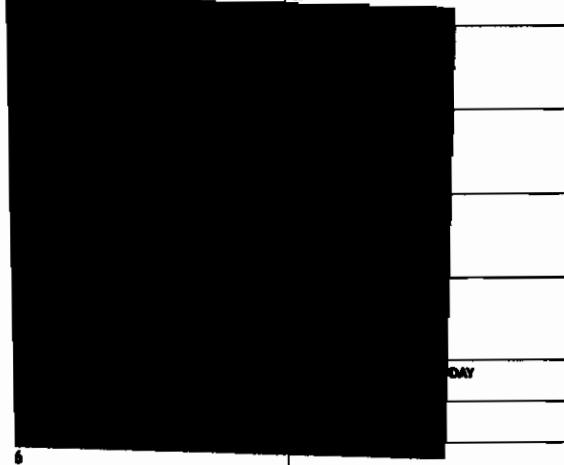
MAY

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21	22	23	24	25	26	27
28	29	30	31			



Police Budget
2008

S



DAY
TO DO TODAY

6
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TO DO THIS WEEK

<input checked="" type="checkbox"/>	

TO DO TODAY



Nov 21 Friday

ORC Report for day



1330 mounted M13 by
M1014 900:

Very Messy - full
of the above

plans to submit
report



10

MAY 06

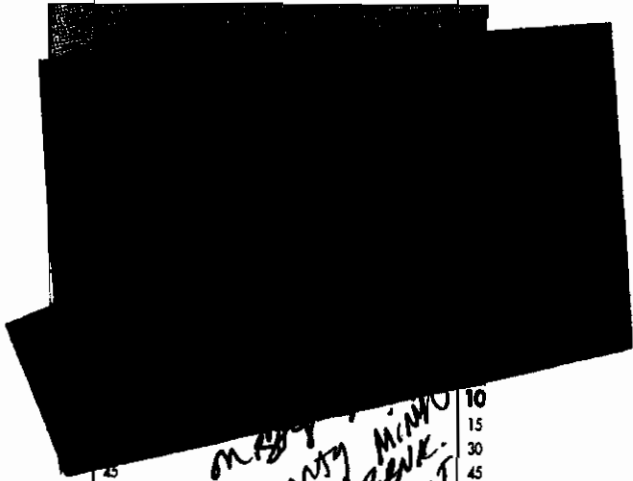
15 Monday 135/230

16 Tuesday 136/229

17 Wednesday 137/228

18 Thursday 138/227

11



on 5/11
CALL MARY MINNO
re: MARY ZEBK
for SEVEN
to MARY

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TO DO TODAY

TO DO TODAY

Census Day

06-05-19.

0500's report productivity

000's used cart for

from town

more

U. ~~000's~~ 000's used 2/10

002 credit card

used hand

with to meet

contact cum app.

on 000's 000's

000's 000's

13

22 Monday
142/223

23 Tuesday
143/222

24 Wednesday
144/221

25 Thursday
145/220

11

[Handwritten signature]

[Redacted]

10 *MOCK*
HQ

Talacy Kennedy

Todd Dale

CRM DOPS

Bain

[Redacted]

8 a.m.	15	30	45
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10	15	30	45
11	15	30	45
12 p.m.	15	30	45
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4	15	30	45
5	15	30	45
6	15	30	45
7	15	30	45
8	15	30	45

[Redacted]

[Redacted]

06.05.23 Tues.

0700 Reported for

With
900 AM. After call for lunch
with a view of the day wash

1000 Lunch with

Camp Re.

Handwritten note

1023 7/11/23 Status

1115 Break under

Stair

1115 Report with

1135 Report with

Tracy Bennett + 41

Todd Doyle

14

My account was
of \$125.80
should be
washed.

My account with
Central Wash
to arrange for him to
come on 1-2 pm
on Wed, ^{supercare}

(5)

06-05-31 Wed

0830 Reported for duty

0930 H. Bahm called
center for his
original note to
review

Walter deposited 6.10.44
to deposit notes

1010 called Marty Neuma
I left message for
him to call me back

X030 J. P. Rybak

1035 G. N. Rybak said
he'd found plate
copy to Harry - said
Harry "SPAZED OUT" and
said he needed original
notebook. Said he
wasn't a courier, &
now does he know it
hasn't been changed
- said he would speak
with Oscar to tell
Oscar he's not ready
to testify since he didn't
have original notebook

1140 Mark agreement
Martin Much -
action corrected
to new date
with informed firm
of balance needed
- Much said to hold
with note both

- with also informed
Much that Krauch
noted. He called
to know if they
knew advised - 76
with said go us.

1143. with called Tracy
Krauch just to confirm
about Krauch note.
- Bro said with made
for cause

1274 with E mailed
Bolan to inform
of agreement

1277 with E mailed
Ken to inform of
agreement

1300 with called again
by telephone to counsel

1545 Tracy Kenneth called
and would like to
interview Malony
& Chudoff

Outspoken my office

1610 with called Tracy⁸⁰
Kenneth + left

never

1620b Tracy Kenneth
called

Chudoff set up for
2 PM Tuesday

Malony set up for
10 AM Thursday

1623 with called Tracy
Kenneth and left
message in regard
to contact.

19

1845 ^{at home} ~~Triford~~ #36 that
she does not have to
go to prelonas
hem - zenk.

2080 Mike Kianak
canceled for prelon

2050 Len Baker
Called -
prelon canceled

060601. Sus

(20)

0830 Monitor Annual

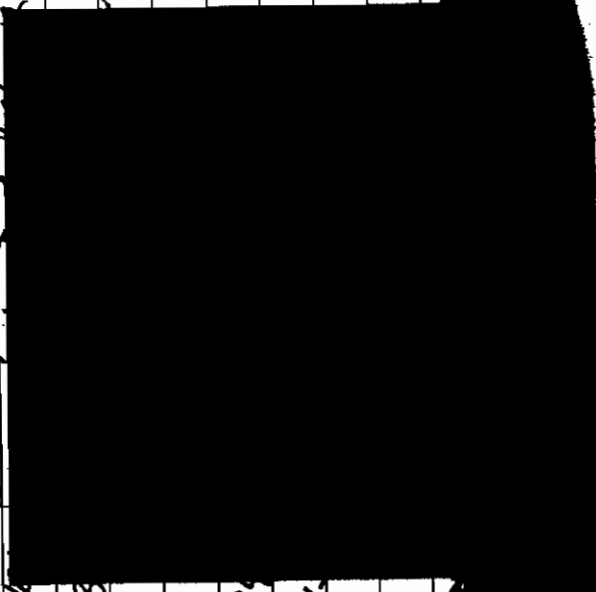
Called & advised

Account Reopening

Admission Card for

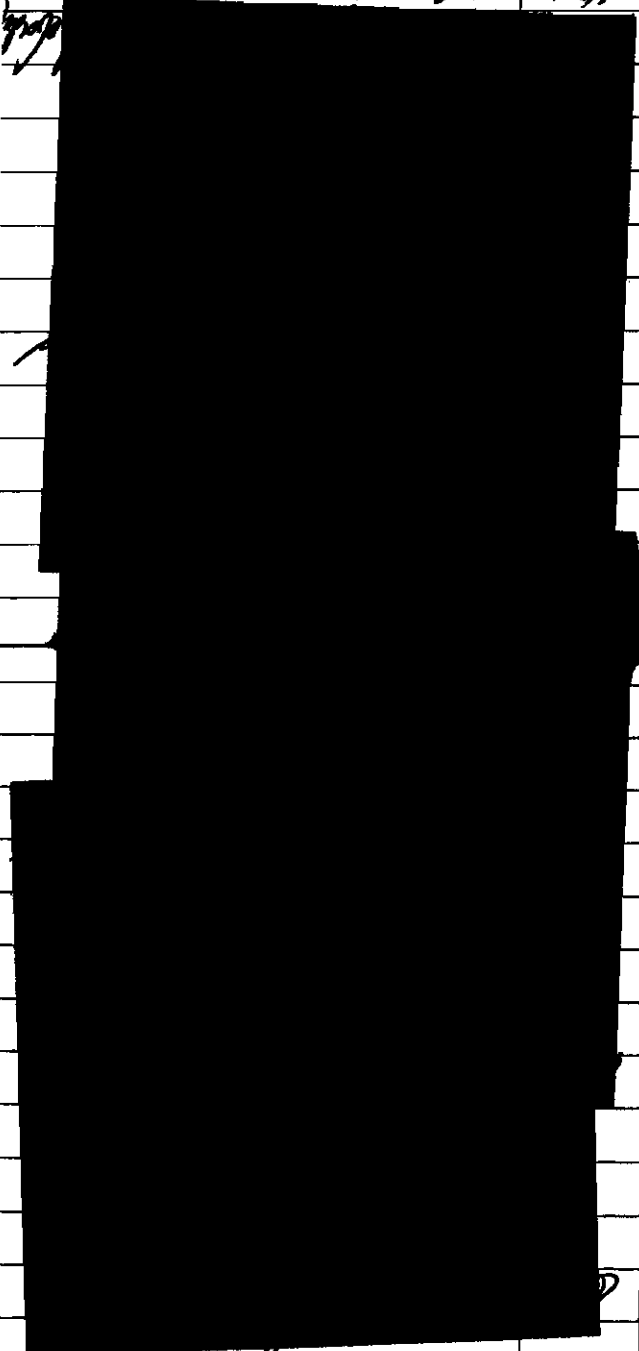
entry to concert

- note passed FAX #



125

1945 July 1st
C. ...
...



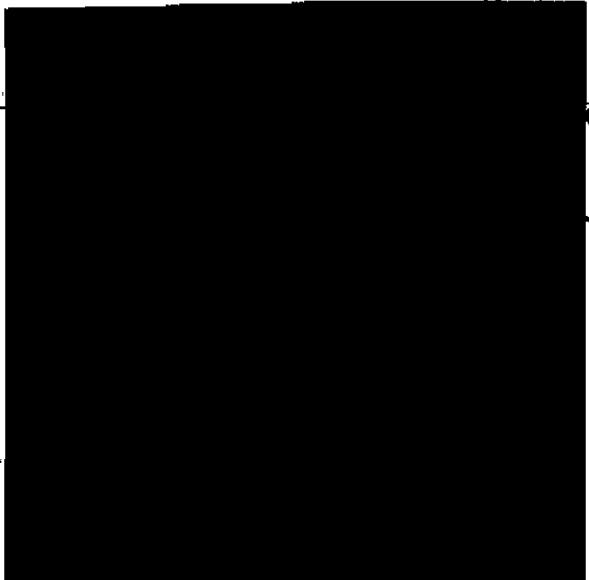
(21)

080000 reported Friday

06.06.07 and

06-06-08 2 hrs

06-06-08 2 hrs
Study



22

0510 Gary almost will
to be of [unclear]
[unclear] [unclear]

Walter to get food to
Gary

'000 could [unclear] [unclear]
[unclear] [unclear] [unclear]
[unclear]

'001 [unclear] [unclear] [unclear]
[unclear] [unclear]
[unclear] [unclear]

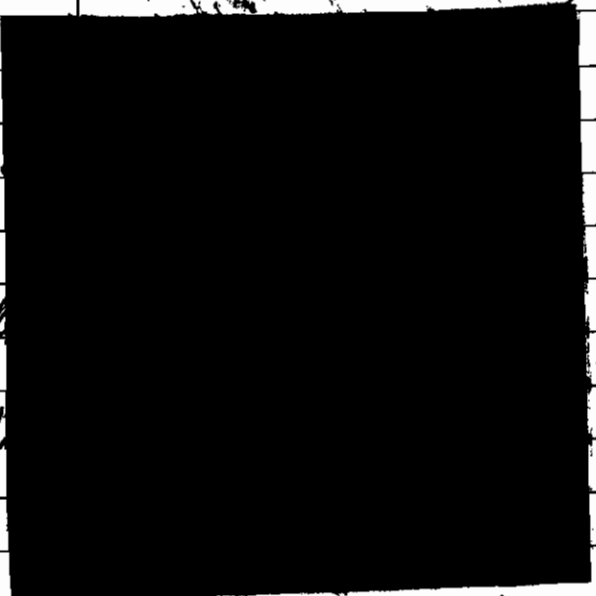
[unclear] also left [unclear]
[unclear] to [unclear] [unclear]
[unclear] [unclear] [unclear]
[unclear]

133

23

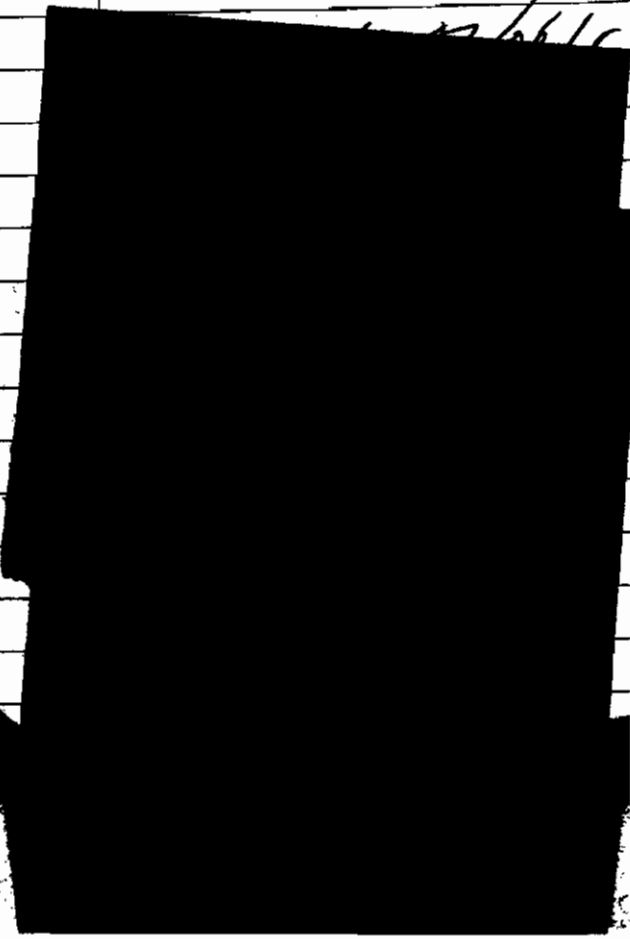
24

07.06.20 Wed



Message from 07/06/19
Sat 11:45
SANTIAGO

up 5 Prof & students
to day suspension

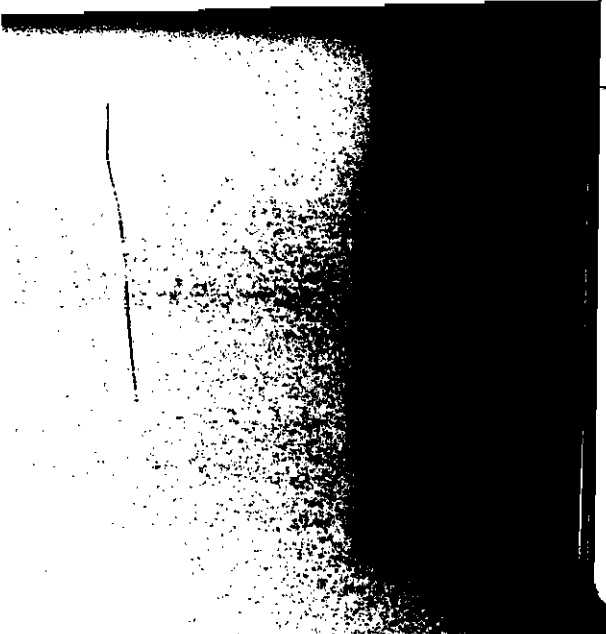
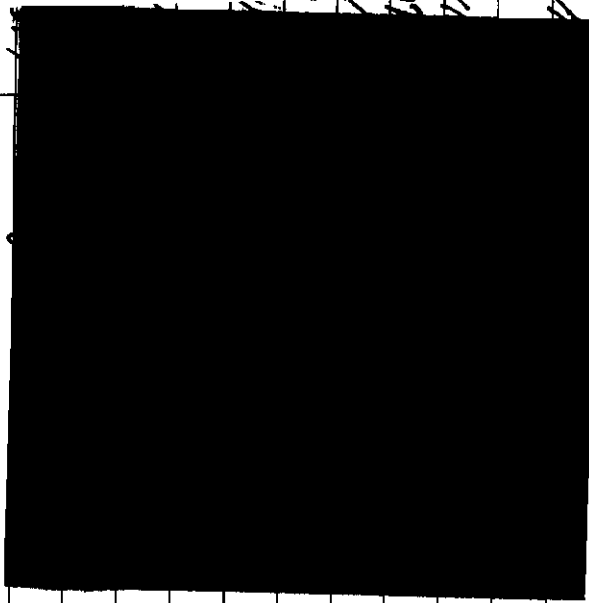


2114 South #40264 #400
Subway - Washington 3rd
7/11/77

0726.21 (Mue)

0830 Niquid P. V. 10/11/11

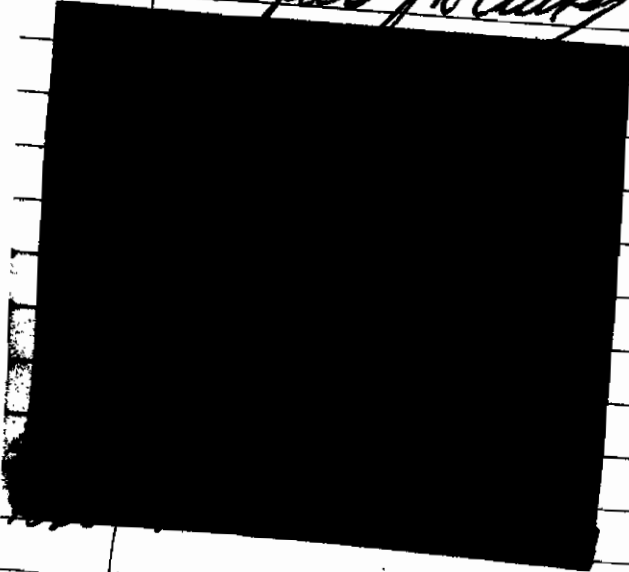
0505 Soud. 10/11/11 Humidity 3rd C



07/06/25 Mx

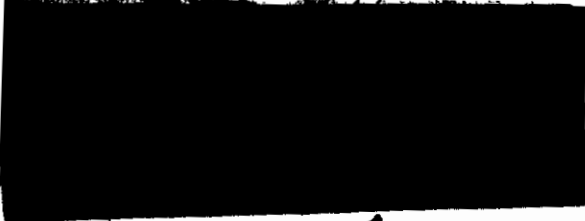
27

0902 hrs/yr for duty



1325 re: Weyher

re: Henry Madagzick



2105 Same Pedern
re: Henry Madagzick

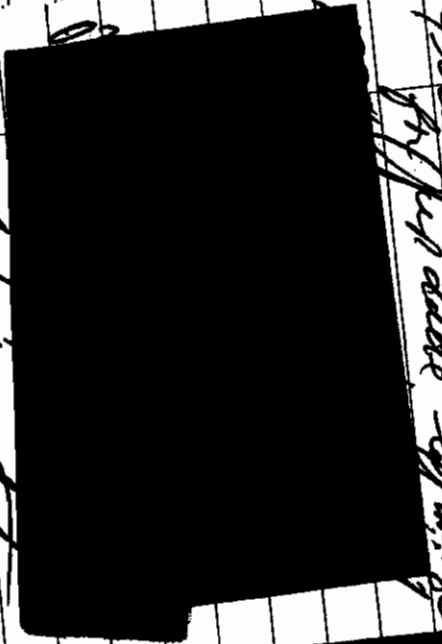
[Handwritten mark]

0222-83 (2001)

~~0901-83 (2001)~~

Chief of Ward in Bank

1930s case of Ward in Bank
for preparation of W/S.



1030 Albert J. Casey

9

Monday

190-175

10

Tuesday

191-174

11

Wednesday

29

7

7

7:30

8

8:30

9

9:30

10

10:30

11:30

12

1:30

2

2:30

3

3:30

4

4:30

5

5:30

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6:30

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7:30

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8:30

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9:30

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10:30

11:30

12

12

Th

Fri

7

7:30

8

8:30

9

9:30

10

10:30

11:30

12

193-172

13

*call martin
M. Hill
M. Hill
M. Hill*

02-02-09 Mon

0900h, reported for

9957, input valley

025 (with 11112)

Martin Mundy

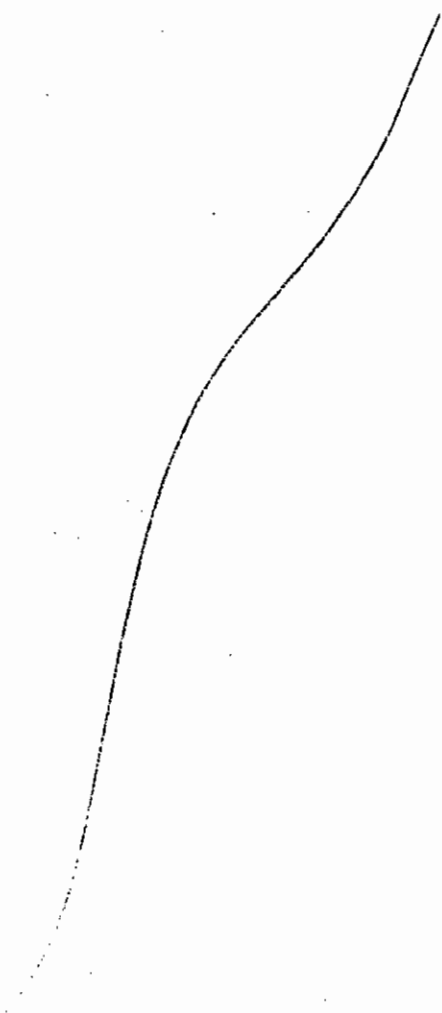
3741a - 100 - Hayes

Munday on 1/2

1400 Rectory - 10/10

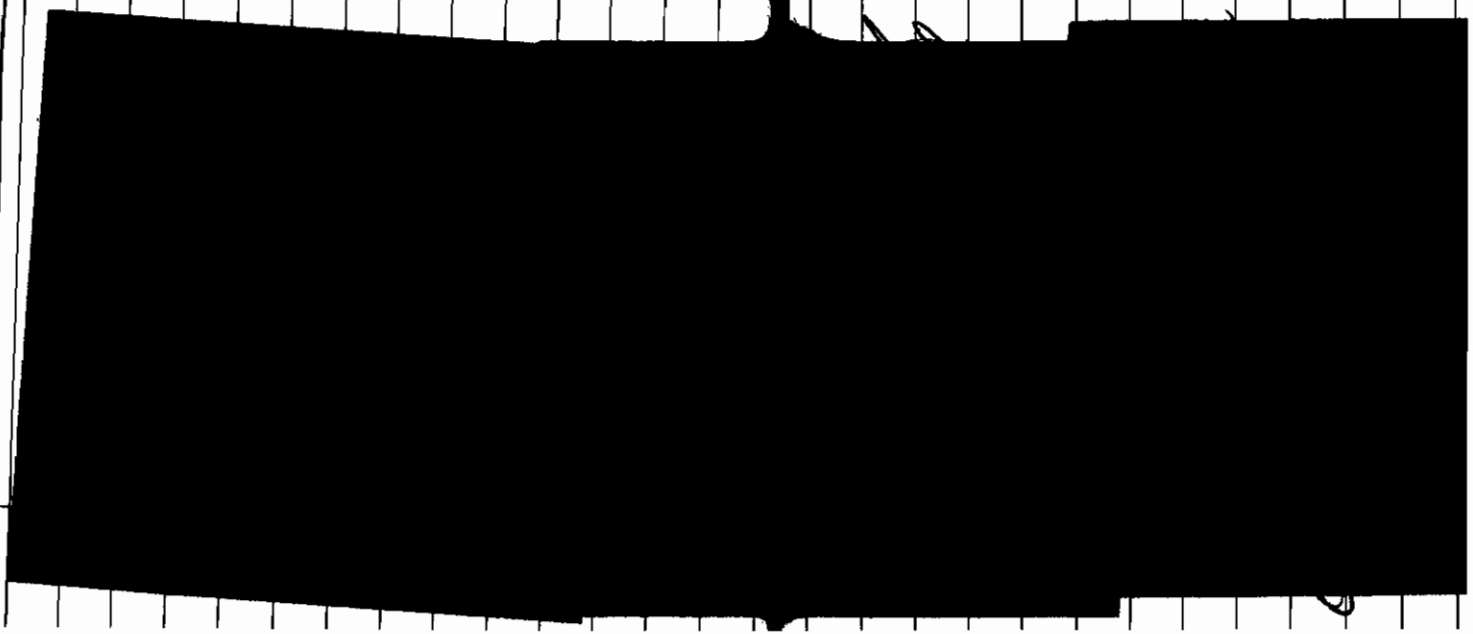
1300 Rectory - 10/10





31

07-07-15 Sen



23

800 Marty Munn
 Called Mr. K...
 Alex's plucky young
 to...
 death...
 which...
 ...
 Carol: ...
 Bohem

...
 ...
 ...

6247. 17 Dec



1154 land clearance

for Moby Munk

Frank Black

Quay to cargo

probe only

Salvage process

Aug 28 / empty

* 1154 land

clearance

for Moby Munk

Frank Black

Quay to cargo

probe only

Salvage process

Aug 28 / empty

* 1154 land

clearance

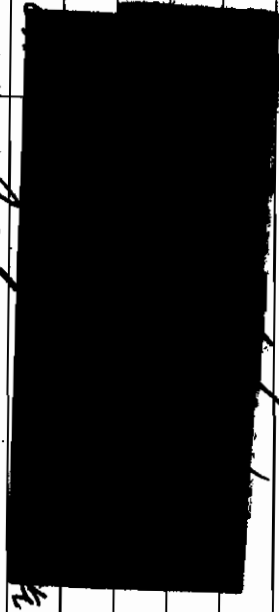
for Moby Munk

Frank Black

Quay to cargo

probe only

07.29.25. 2000



12:30 (Wed. after

noon (H.B. Bureau)

John (H.B. Bureau)

Checked into

was not to sleep

to put it up.

06

Reached out to John at 12:30

