

## **OSSL RECORDING TOOK PLACE AROUND 30 JULY 2014**

**Three people present: Desmond Kane, Neil Rooney and Solicitor Marc Fitzgibbon of Lavell Coleman, Dublin.**

Recording does not start until around 1:07 and in a discernible fashion at 1:26

Des: hi Marc...

How are you?

You look well Marc

and yourself

Cheers thank you

Marc: Hows life

Des: Okay... Thanks for seeing us so quickly.

Marc: I don't really have to ask for an update you keep me informed on the emails

Des: I do... Seven thousand emails you've had from me

Marc: I am sure... I get an overview from the emails

Des: Okay

Marc: your still... I see who are still at it with them

Des: Oh yeah yeah, I would like to ask you a straight forward enough question

But first of all a bit of background.

On 20th of May we addressed... I addressed the AGM again in Den Hague in Holland.

Neil: A little bit of humour

Marc: This is the GM of Shell?

Neil: At Shell

Des: so there is a new CEO from the last time round

Marc: So you were on the floor and you stood up

Des: yeah it was broadcast to 200,000 people worldwide on the webcam

Marc: Yeah... So what did you say

Des: We said there was outstanding matters on the corrib gas development and that we demanded a meeting and we've been asked to produce evidence of what we are saying but you have to show willing in complying with us in order to see the evidence and come with us and meet the evidence its not just as straightforward as that... any rate the outcome of that was that the CEO said yes I know about you's I know all about you thanks thanks for coming

Marc: at the meeting

Des: at the meeting... setting aside everything has gone before including a commercial decision we took we will meet again and we will review any new evidence you want to put on the table with regards to what you are saying

will that suffice... I said that will suffice for todays purposes if we can get confirmation of a meeting before I leave the building and the chairman interrupted Jorma Ollila was his name and he said Mr Kane.. you've had an answer we don't want you back here next year. We want a happy resolution to this

this... this is all in a podcast this is all in writing all in words

Marc: Obviously they were using this kind of language

Des: and em a meeting will be fixed

so we held back after the AGM and we spoke with a man called Michiel Brandjes who is the corporate director he is the man he is the man who is always there.... he is the Company Secretary for the whole world

Marc: Was this in Holland?

Des: Yeah in Holland

So he came and had tea and cakes with us afterwards and he said okay you've got a meeting he said you'll be advised and he said what evermore you've got to tell us tell us good because we want to put this to bed... so the important words their setting aside anything that's gone before by way of the August the 2nd last year meeting 2012

So the next thing that Brandjes told us was if we can get your confirmation and some sort of backup to the fact that we instructed the alcohol and that we knew about the alcohol prior to the invoice that you raised for 43,000... he knew all about it... this is the man all the way from the top of the tree... so we have somewhere to start from he said... because Ireland are saying maybe rightly, maybe wrongly, we don't know about the alcohol... that's the problem... now

**You were in the room in London with us at great expense when I... the last thing I said to Michael Crothers was what about the police alcohol?**

**and he said I'll work on that and Julia Busby tugged his sleeve sitting beside him and said well maybe we'll see**

**You were at that meeting**

**Marc: I was yeah**

Des: you in the Burlington hotel when he had a resume of the previous meeting and immediately on the floor he put 185K... the first words out of my mouth was for after the 185k was what about the money for police alcohol. He said I cannot.. thats for everything he said... I cannot compartmentalise the alcohol - I can never say the word... I cannot compartmentalise for the alcohol ... that is for everything... that is our offer

We were in an anteroom in talks for a few minutes we came back to their room in the Burlington Hotel and we refused the offer but what was left on the table was the opinion was going to be got sought from KPMG and that would be that the deciding factor

You have also got the knowledge in your head that KPMG went to John McNaulty's office

Neil?: John McNally's

Des: and had a two and one half meeting with him in which the alcohol was also openly discussed

**so three occasions there police alcohol was discussed prior to me writing out the invoice out to Corrib and we need that back up for the for the company secretary Brandjes... we need that back up...**

**Marc: So what is it you need?**

Des: I need you to confirm that you were present when supply of alcohol to police was openly discussed in London Dublin... you can't you can't confirm John McNally's

Marc: Have you spoken to John

Des: No I have not spoken to John

Marc: Is he intelligent

Des: John phoned me in my kitchen in London and told me because I nearly shit my underpants that that man spent the best part of the conversation saying your client had better be very careful because prison could be a real possibility here because of the police alcohol

Marc: okay

Des: Do not know that

Marc: Well I know I know when I know that the the person from KPMG spoke in an alarming way

Des: Yes

**Marc: about what the risks for you vis-a-vis the revenue we know all of this my understanding was that it was not because of the alcohol it was because some of the can of worms that might open for you**

Des: yeah and the hidden

**Marc: This is not something that shouldn't have come as a surprise to you... you and I had discussed that from the very first time that we met about this because we discussed that there was a kind of Pandoras box that you wouldn't want to open not that they'll by the way**

The guy from KPMG... Was it KPMG

Des: It Was... Liam Grimes

Neil: Same name

Marc: Was obviously instructed or decided to... his approach was to make the most of that

Des: Absolutely absolutely...

Marc: To try to

Des: so what we are really saying is that while you and Neal Rooney and Desmond Kane spout loads about police alcohol there is nobody is any credibility and we've seen as as liars in the Irish press by GSOC and all the rest of it... we'll come to that in a minute

We need your solid backup to let Brandjes know

Marc: Okay

Des: that it was openly discussed

Marc: first of all yes I was at the meeting I think it was 8th or 9th of March 2012...

Des: 9th March 2012

Marc: yes I was at the meeting in the Burlington and I was definitely at the mediation

Des: yes

Marc: And I engaged in lots of discussions with various people at Shell and their representatives about all of this... We... There's a couple of things come to mind I'll agree that I will look at my file which is the most important it's the place to go because I do have notes

Marc: alright... so I will consult my notes so there is something

Des: Can I.. we've friends in this room can I say that I rung you about this one day and you and we had a good long chat for about half an hour and you said to me that that's the way I see it that's the way that I recall it... there was alcohol discussed police alcohol

Marc: I want to be very careful at this

Des: I understand

**Marc: about this...to one is yes there was there were references made to the alcohol... I'm happy to confirm in the London meeting and indeed at the other... next meeting but I don't want to make say to you now what those references were without consulting my notes because the context is very important**

**Des: Well it was very clear to us all the three of us in the party back at the Burlington Hotel that the 185 was to encompass everything and what he clearly meant was it gets the alcohol out of the way in the 185**

**Marc: well yes, but that's something**

Des: Yes

Marc: I need to see if that's in my notes ok

Neil: as for the falsification of invoices that he was surprised to hear about at the London meeting

Marc: But there some lessons... I mean to say with got to be careful the meeting in London those meetings I think I don't think they could be described as off the record oaky ... that's my memory... nobody said that these are off the record meetings so I'll have to consider that I'm at liberty to say is that so think about that as well the but I think its okay... the mediation was bound by the terms of the mediation agreement which included confidentiality so that I'm not at liberty to disclose what was said at the mediation meeting you'll probably going to say to me that it doesn't matter because what I what I think your view of that is that the alcohol wasn't really talked about at the mediation... it may have been mentioned but it wasn't ... it wasn't...my memory is that it didn't form part of the agreement.

Des: No, not at all...

Marc: perhaps from Shell's point of view they would be where they are now with you if they had not have included... okay

Des: not even as...Des: yeah

Marc: okay

Marc: What the mediation did do is settle your money claim

Des: yeah

Marc: based on the proceedings we issued

Des: yeah

Marc: and I need to check the file to be honest to see if the proceedings included the alcohol... I think it probably did actually... reference to monies being owed to the alcohol... Have you shown the proceedings to people? Shell?

Des:? yeah

Marc: have you shown... We need to check this. Have you a copy of the proceedings? You are entitled to them. Like the proceedings may have said about the alcohol... Certainly... they are letters from me to Shell aren't there? Before the proceedings...

Des: you mean the Sligo Bannister piece? The first piece we paid for we put together?

Marc: Yeah

Des:: Yeah yeah we spoke about the alcohol

Marc: the point being that sounds like what you are trying to establish with this person

Des: Michiel Brandjes

Marc: Got the Opportunity to talk to is .. That there is a reality here okay about the alcohol

Des: yeah

Marc: He is looking for something... this wouldn't be new evidence because he will have seen it before so.... there is paperwork to reflect the fact that you made this claim including the proceedings and certainly the letters... I'll look I'll give you copies things you want... the proceedings so what I will do is

Des: if you're free to make those assertions then I think we'll keep it simple and say I wasn't

Marc: In what, in what in what manner I'm being asked to make these assertions

**Des: For us... to back up what we are saying to Brandjes. That the alcohol was openly discussed in London Dublin and then by KP... you can't confirm that?**

**Marc: No I can't**

Des: The KPMG down in John's office that... it was mentioned... Johns phoned me and spoke to me about that and highlighted the fact he's saying police alcohol come on Des you know

Marc: yeah

**Marc: I may, I may I like I certainly think I'd be able to say fairly say that you that you made claims that you supplied the alcohol to the Gardai at the request of Shell and you went into some detail about how you were requested what you would do to get it... you named Gardia definite individuals and locations and you... where you got it you made these claims and you claimed that you weren't paid for it by Shell so that seems... thats what you said**

Des: yeah

Marc: Now the bit that I need to check my notes on... on what basis... thats the challenge

Des: I was folding up papers in the room my last words to Michael Crothers were... Michael what about the police alcohol and he said I'll work on it I'll work on it or I'll find a way and Julia went... sitting beside him.. well maybe and you know we all went be careful, this is a legal person

Marc: She was

Des: well maybe we were

Marc: on a number of occasion he qualified

Des: Yes

Marc: some of the things he said by and of course xxxx this is whatever

Des: yeah

**Des: you see what shell are saying is the first thing they knew about alcohol in any shape or form was when I produced the invoice after the mediation payment**

**Marc: But they can't say that because**

**Des: but they are saying that**

**Marc: But... you should have copied the letter I sent to you days before that saying**

**Des: They don't reply to anything**

**Marc: you should have showed it to them they can't deny it that just another thing I think you should consider**



Des: But they are telling the GSOC see that... Out of the blue we opened an envelope one morning there was this bill for alcohol and we went o whats this we don't know anything about it

Marc: Okay I'll have a look by and I'll give you

Des: Michael Crothers is a great liar. Michael Crothers is a lovely big Canadian man sat in that office and showed us lots of comfort... we have since met him in the hotel along the keys there... that used to be the stackish Hotel outside the Lewis in Portobello... we've since met him in there with another man

Neil: yeah

Marc: The Conrad Hilton

Des: Yes, the Conrad Hilton where another man had been sent to hear it all... we addressed the AGM again last year and the man said I will send a mediator.. He sent this man

Marc: What did this guy say when he met you

Des: He said we don't know where you are coming from we don't know about police alcohol we don't know anything about Jacintha tennis courts - this is what he said he is looking at the picture of a tennis court all lined out in a woman's garden and he said it was actually a lorry park for heavy lorries and I said with tiny gates Michael? You know

Marc: what are you owed on Jacintha tennis courts

Des: what are we owed

Marc: yeah

Des: Financially?

Marc: cant be anything

Des: Well if the new bvb... well hold on now... if the new bvb... his name is BVB the CEO Ben van Beurden has said setting aside any previous commercial agreement... he said in his own words and it was recorded... we will have a meeting and if you have got anything new or you can prove some of the things you are very fond of saying then we will look at it then the Chairman interrupted and said Mr Kane we do not want to see you back next year we want a happy conclusion you have heard it from Ben

Marc: But then like again its just assistance... its something to think about the mediation settlement and I don't have it here basically settles your financial claim

Des: yeah

Marc: Full and final... you it can't be revisit it

Des: yeah

Marc: they have paid a sum of money in respect of the claims and the proceedings

Des: Right Right

Marc: so they disposed of... so you couldn't sue Shell... you couldn't can't pursue them for any money

Des: But this is business afterwards this invoice wasn't dated prior to the mediation... this invoice was dated after the mediation as was an invoice for 7 and a half grand to pack up and transport the goods which they paid. So there was business after that which was paid... they continued a business relationship with us after that we raise the alcohol thing because they hadn't... you're stating even here they had not dealt with the alcohol as a specific item in the mediation

Marc: No, No i'm not stating that.

Des: they haven't

**Marc: i'm not stating that I said they couldn't recollect.. I hope your not recording this conversation? Either of us. Why is that red light flashing?**

Des: Because because theres a text

Marc: right you know in fairness

Des: story from my wife

Marc: gotcha

Neil: Check up where you are

Marc: No but but people are increasingly recording conversations and we have to be very careful but whether your recording or not **in fact I don't mind if your are to be honest** because I didn't... what i'm saying is... and I'm not trying to be difficult Desmond because I... I appreciate where this could go I have a professional

reputation here... obligations as a solicitor and I would be absolutely honest and truthful about everything

Des: Well to my mind that makes it easy for you then because you were there

Marc: yeah

Des: And we did talk alcohol

Neil: You need to check your notes

Marc: I have to rely on.. I made some good notes on it you know its hard when you don't have an assistant to make notes when you are doing a lot of talking as well but you know I do recall... **I have no hesitation in saying I do recall that in both meetings you introduced... you brought to the attention of the meeting to the alcohol claim and mediation I can't recall because of so many discussions in the room and out of the room... but my recollection is that there was a kind of a gap in the agreement from their point of view in that it doesn't cover off the alcohol**

Des: Yeah

Marc: I am just trying to make sure that you understand that

Des: also you were surprised that they did not silence us at the meeting...

Marc: Yeah, they didn't gag you

Des: They didn't gag us

Marc: Yeah, mediation is a confidential process so you can't talk about what happened at it

Des: No

Marc: Or or.. But I think they left themselves

Des: Wide open

Marc: They missed it yeah yeah There not able to injunct you in the high court on the basis that you agreed not to talk about it... a big mistake on their part

Des: Yeah

Marc: I think. They should have guessed that this was a risk

Des: What we have planned... we've planning to go from here.. what we've just asked you.. and we know we'll get confirmation from you because you'll check your notes... you will not be able to deny that alcohol was a mystery in both meetings that was never mentioned because as I say it was mentioned it was highlighted by me both times especially when he offered the 185 in the bundle and the first words out of my mouth and we looked at each other... and I said Michael what about the alcohol it was 43 grand alone and he said no that encompasses everything and then he used that word I can't say as as we went down the stairs saying what did he mean by compartmentalise and you said

Marc: O was that was that... **does that mean the 185 includes the alcohol?**

Des: Yes, but never.. not as an item

Marc: We can't mention

Des: I'm giving you 185 to shut you up about everything

Marc: That includes the the alcohol

Des: Yeah, but now the alcohol doesn't exist and they don't know anything about it — that's the lie that's going about

Marc: well, one of the things. again.. one of the things again you might do is in terms of what I'm trying to pick up what there at now

they might say that if he comes in and says we discussed at the various meetings then the thing gets settled at a mediation literally say we'll discuss that at the various meetings right

Des: Right

Marc: and then the thing get settled at the mediation

Des: Yeah

Marc: that might be something to think about... help their argument that it was included not settled because it was something that was on the table and the invoice for both dates I know that on both dates you raised it after the mediation but you would have thought it was a claim it was something you were owed something you should have raised before

Des: Yeah

Marc: But they might say

Des: It wasn't to be raised it wasn't to be invoiced it was to be... we were to be advised of how to bill them for the alcohol and that's what was missing

Marc: Yeah well you were reimbursed weren't you... were you?

Des: For the alcohol.. well 2005, 2006 they called it boots and hats and paid it

Marc: Yeah

Des: In 2007 they

**Marc: We go back to the thing the thing is whether services are with tax are goods and all that**

Des: Now what we want to do with Ben van Beurden and Michiel Brandjes is we want to say to them we have got the confirmation that is required we have got other items of evidence for them... like they didn't believe us **890,000 pounds EUROS was spent on a house down there valued at 150,000 pound.. now we've got all those invoices... a lady down there called Jacintha Healeys house had €890,000 EUROS of invoiced booked out to it.. we have them all... every one of them**

Marc: your invoices from whom to whom

Des: From us to Shell later transferred to Roadbridge

Marc: These are invoices we saw all the time

Des: Yes, the 21 that were on

Marc: Did they accept you had been paid for them

Des: Yes but we've proving the culture of what we were being asked to do by Shell... we've not disputing the invoices are... we've not looking for that money... we telling them this was the culture

Marc: You accept that you've been paid?

Des: Yes and we've illustrating to him the culture that's led to us being instructed for the alcohol in the same manner... the culture exists

Marc: the modus operand yes

Des: of how things were happening its frozen in yet

Des: In Broadhaven Bay June 2010 they hold a meeting

Marc: Yeah

Des: which Crothers at the London meeting went ape he threw it down across... the lady the Dutch lady and went how can you say that when we've got these minuted meetings

Marc: Yeah

Des: Saying we held a minuted meeting we discussed falsified invoices... it was agreed Mr Kane and Mr Rooneys OSSL was owed the money because the goods were actually kitchens bathrooms things like that

Neil: you made that in notes as well cause you were there

CROSS TALK

Marc: But does Miss Van Dam not have no

Neil: No London

Des: Miss Va Dam refused to show you her requirements

Marc: But she did an investigation...

Des: But refused to share it

Marc: in your statements in your statement to her you would have given her ... you would have made the allegations

Neil: spoke to her personal investigations

Des?: We know that..

Marc: Any rate well okay I'll read the notes

Des: I have to finish what I was saying so what we want to do to Brandjes and to bvb and to let Michael Crothers know as well we want to say we're not going to give up exposing the five cops involved... five cops are saying... three are saying we weren't in Bellmullet offloading alcohol.. one of them a chief super who actually offloaded the alcohol boxes boxes boxes... right... he did that he's gone silent.. he has not replied to 800 emails and he's told the GSOC that he doesn't know what we are talking about. Another man I personally met in Athlone with a van full of booze

and put into his car was a man called Liam Grimes. He had also denied that it happened. Also we are led to believe by GSOC that.. so theres two men very senior men in the gardia telling a blatant lie

Marc: So you made a complaint to GSOC

Des: Yes

Marc: Yes... tell me... I don't know anything about it

Des: Well they found there was no evidence of the alcohol not that there was no alcohol... there found that there was no evidence

Marc: Did they interview everybody

Des: We don't know

Marc: Did they interview you

Neil: a public announcement that they shared they spoke with us and then spoke for the Gard and shared with the Gard

Des: They said they took detailed statements from the Gard and went back to the complainants thats us... and reviewed correspondence with the complainants.. they didn't...

Neil: They didn't do that

Des: they didn't come back to us at all

Neil: In fact they ripped our statement up in front of us

Des: They tore our statements up the GSOC on the table in front of us and their officers

Marc: so this is the Ombudsman

Des: The Ombudsman yes

Des: It its a joke its a whitewash joke

Marc: We've seen a lot about it unfortunately it seems to be

Des: So we've pressing hard against the lying policeman... we've pressing hard with Shell and the Minister for Justice right now but what we want to say to

Brandjes and to Michael Crothers and Ben van Beurden is that we will stop immediately if we get mediation on this matter and polygraph tests.. we will take lie detector tests as to whether I was on the Athlone bypass meeting a policeman who said it never happened and he will take a polygraph as to whether he was in Bellmullet police station meeting John... Chief Superintendent John Gilligan offloading copious amounts of alcohol... and will they... will they take the lie detector test?

Neil: xxxxxx xxxx few companies

Des: Right lets get out there

Marc: And what about, what about...what is your objective

Des: We want the rest of the money we want to show Brandjes we want to show Brandjes that we were wrong... Marc, forget the fucking money we lost our jobs.. we lost all involvement on the Corrib... theres people up there making millions in our business right now

Marc: So okay tell me what it is you want to do

Des: We want original money back we want if they still won't talk about alcohol we want we want the devalued amount that they paid for the stock reinstated to the amount it should have been

Marc: How much is the alcohol?

Des: The alcohol was 43 grand and the missing money is 208 the alcohol was 43,000

Marc: The 208 relates to

Des" What we think was the shortfall... if bvb is setting aside all earlier commercial decisions... which was August the 12th

Marc: How do you know its August 12th? Did he say meaning August 12th?

Des: All, all

Marc: Did he say

Des: No all previous commercial decisions... setting them aside he said we will speak with you... Now there've gone very cold and I'll tell you why there gone very cold since because they are waiting on the GSOC report coming out because Crothers knew that was coming soon



Marc: There worried about that

Des: No no there've had a whitewash

Marc: But they were just making sure it came out right.. but but look... well whatever the 40 grand like and again this mediation agreement is really important in this... because if it says full and final settlement you know that Len? you know the basis to seek agreement

Neil: That weren't me

Marc: Well I wasn't acting for you

Neil?: Yeah I know

Marc: What is the statute of limitations... time limits 6 years... 6 7 6 is 12 ... 6 and 7 is 13 so you'd be statute barred soon if not already, so get advice you had a solicitor... progress it if you feel you have a claim... but you don't have... sorry but I'll just go back into my head... your claim was by yourself Desmond as sole trader trading as... you were working for him... you weren't in business in your own right that was the advice we gave you... so I don't think you have a claim anyway really to be honest because it was all your money as an employee

Des: Marc, we we

Marc: These are some... sorry I know whats going on but these are some of the fundamental realities

Des: I understand the fundamental realities and I thinking that this was perhaps ring fenced into that happening what happened there.. I think Kane and Rooney are saying what about the alcohol.. I think its gone beyond the question of some alcohol now... we've been branded as liars for something we did not lie about... were telling the truth about.. we both lost our jobs because of the alcohol...We lost our jobs because we refused to lie about Joe Gannon.

Marc: You didn't have jobs I mean I need to talk to you about this

Des: We lost our livelihood

Marc: But you were contractors. If I have a fellow build a house for me and I said I don't want you to build it anymore you lose the contact

Des: And theres a loss here... because of wrongful dealings

Marc: But there has to be a loss that you are entitled.. I don't have to ask you liability

Des: Yeah

Marc: Now there was a liability.. there was a liability for monies owing and you got a sum of money and I don't know if it was enough too much or too little it doesn't really matter now... you made a decision on that night to sign up.. so there was a loss in my view they paid that money more, less because of legal risks and more because they just wanted the box this thing up and I think they walked out of there thinking it was the end of it.. I I think that.. and this is just me speculating... nobodies said this to me I've told you the only conversation I had was with somebody ages ago.. I've had no other conversation with anyone about this... I think they take the view that this is somebody who they did a deal with

Des:Yeah

Marc: And yet he's coming back for a second bite of the cherry and I think they see it as... just.. don't get annoyed with me... they see it as not playing ball

Des: Yeah

Marc: Because at the end of the day... I think thats the way they see it

Des: Yeah

Marc: Why do I say that... because I'm just trying to read between the lines and if they give in to them again theres no honour here he'll be back again for something else... that's the way they might see it

Des: Yeah Yeah Yeah

Marc: I know what this sounds like

Des: Your saying it sounds like this it sounds like.. that it does sound like that to us but I'm prepared to put that to one side I'm telling you its different from that they your saying to me that you don't work for them so how could you lose your job... a man comes in to you who been contracting for you for 10 years and tells you that you will tell a lie and falsify a police statement for a man called Joe Gannon or you'll not be hear any longer and within three years your whittled down and gone you've not getting any business except for toilet paper and your watching all your stuff coming from other companies and its because you refused to lie about a man called Joe Gannon... Now GSOC and co and the police and the Minister of Justice have quashed the Joe Gannon thing... its gone silent, nobody wants to talk about it but we are the ones that were made to falsify a statement regarding Joe Gannon...

and made by Shell. We have got... I know that our biggest weapon is this hateful talk in bad stuff for Shell and bad publicity and I know that's our biggest weapon but there was also hurt and financial loss to us not as an employee but as a company... They made us do things for them... we have to prove the culture to the new chairman and we have to let him know that how we were handling things for them and lots of things that have come out since that they have relied upon for their evidence... are untruthful.. they have hurt people... Brian Foley who got cars for himself and billed them to Roadbridge through us.. he's still sitting there as the chief contracts manager and when he was approached by Frances van Dam to tell the truth he went OSSL special instructions... don't know anything about it... a lie of the highest proportions... he had actually made the instructions... He stood in our office and made us falsify invoices for his house getting plastered for forestry equipment for his house for engines his car for his wife and and put them into bills for Roadbridge... He made us do all that.. When approached by van Dam cause Van Dam wasn't told anything my us... to just confirm that OSSL were the special company to go to for favours..he went.. *don't know what your talking about* and that sunk us

Marc: Desmond... you know I have always understood why you feel the way you do and absolutely appreciate it and I think the accountancy system we have identified were legally wrong and we went about sorting that out

Des: Yeah

Marc: I still feel you are in difficulty in terms of legal claims not about moral claims... legal claims

Des: Yeah

Marc: for long term losses for terms that have been breached and for employment type things

Des: Well what we want is simple what we want is simple we want 43 grand for the police booze and we want something back for the stock that he basically stole from us after an 18 hour fucking meeting

Neil: We were dismissed without

Des: no we didn't work for them

Neil: Well he said the words amorally

Des: amorally

Neil: without notice

Marc: but that was in the context of a discussion I mean sorry i'm not trying to... I'm on your side

Des: Yeah put that aside

Marc: I've thought about this for about a year its only coming back because we talking... look look and I'll always I'm happy to assist if you want me to but only so far as there's a basis for me to do it... I have a difficulty in relation to the mediation agreement because it's there are and it's signed

Des: We know that's there and we know that's a stumbling block for that but there's another matter on the table and it's this... that we're now getting castigated in the Irish press and on the news as liars about police alcohol... we've not lying we're telling the truth we got a special instruction from Shell... What I mean Shell's.. when you were in London Crothers dropped a bombshell because he told us Byrne got sacked for a massive abuse...

Marc: But that doesn't amount to a confession

Des: Do not... Let me finish what I am saying.. and he's back on Shell's behalf... Come on! Come on!... He dropped a bombshell he had told us he had gone on further education to continue his career within Shell he even lied to us why he was gone he was gone because he was using us wrongfully to do favours for hundreds of locals and then the bombshell... police alcohol... that's why he was gone and Terry Nolan was gone the CEO was gone for coming into this man and telling him if you don't lie and change that statement you'll be gone out of here because Joe Gannon is our man and we have to protect him at all costs... Lie about the policeman to the police was our instruction. And we gone within 36 months of that project. And we had 15 years to go. We were a preferred supplier for the next 15 years. I know we had no contract, no nothing but i'm telling you that's the facts. We want simple small money now we want 43 grand and 208 grand. And we've here to ask you about this polygraph thing... is it a flyer... does it work... does it happened... Have you ever heard of mediation with polygraphs

Marc: No

Des: No

Marc: I don't do... I have never seen a polygraph machine I don't think I don't know how they work... anyhow, look I'm sorry its wrong of me to get into Shell's case I'm sorry I just gonna.. reality testing in some ways just for myself

Des: I know that as well

Marc: So apologies

Des: Non no no

Marc: I know how you feel about it both of you and in fairness its something... its obviously of huge significance to you in continuing to pursue it

### THREE PEOPLE SPEAKING AT ONCE - UNINTELLIGIBLE

Des: We worked for your Sligo man we worked with you the trail whet cold for 18 months you and I didn't even speak we went and stood outside Shell for a week and Crothers had us in and within a month you were in London within a month of that and within a month of that we were down in the Keys.. you take 60 grand John gets 11 grand all done lovely that was because we kept on with our hearts on our chest we said this is a problem for you. Now we restarted again with the policemen the lying policeman who have been round Shell all morning with banners about the lying policeman we started again but if we want to talk the talk is this mediate this problem gone and we will take polygraph tests to tell them that we are telling the truth... They sent policemen to meet us... We did not make those arrangements the police we went to give the first statement to said to us and we looked at his eyes and we felt stupid because he said to me... so when you arranged with Grimes to meet me on the Athlone bypass what was the arrangement.. we didn't arrange to meet Grimes... We were told to go and meet Grimes. He said so who arranged Grimes to go and we went Jesus Christ you've hit the nail on the head... Who sent Grimes to meet me? That's the key to the thing. OSSL didn't organise that OSSL went to buy the booze. OSSL has a big store of booze in their place they were whittling away at it and then they sent most of it to Bellmullet but they sent me to meet a man on the Athlone bypass called Liam Grimes. They made the arrangement with Liam Grimes nobody else they had the power to say to a policeman make your way to the Athlone bypass because I've got a containment of booze for you and he's there jack the lads there he doesn't know anything now.. that journeys a fiction thing in my head its not... its a fact and he was in Bellmullet Police Station

Marc: Doing Devils advocate now surely the guy in the GSOC investigating this... lets give him the benefit of the doubt... He did interview Grimes and Grimes said it never happened the guy told a huge lie it never happened put it in my statement it never happened

Des: We've never been privy to that we asked GSOC... when we were at meeting three with GSOC there were asking about... they tore up our statements... they said your statements are shit... threw them round the table in four pieces

Neil: The statements were taken by Sergeant Murphy

Des: in his handwriting was torn up with our signatures and threw them down... we can get them off of Murphy we were told

Marc: xxxxxxxx

Des: Murphy that wrote them originally... he would have the copies

Marc: or yeah

Des: So he threw them down there and he says to us GSOC... this is shit you'll never nail the bastards with this and we said lets stop you there.. two guys... we don't know the other guys name one of them called Johan Groenewald... we've not hear to nail any bastards we've here to tell you theres a problem and the police could have come forward and helped us get our money but they refused to do so... we sent a chief super 800 emails he never replied to not even to say fuck off Kane I don't know what your talking about... why didn't he do that! So he said you have got to write a novel and you have got to start with the washing machines and the tellies for the residents because then we can prove the culture of corruption

Marc: Okay

Neil: You mentioned somebodys name and you had to go into all the details of how you had met them what your relationship was with

Des: no we told them to fuck off we told them to fuck off and we said that's the statement we are making thats what happened... He's in Bellmullet Police station I'm on the Athlone bypass... It happened.. There only interested... I'm not interested in crucifying Mrs Noone for getting her washing machine

Marc: Remind me how the GSOC process works I don't know because we don't get involved in that sort of thing

Des: Well I don't know either.. its just a cover-up... the findings are secret

Neil: And the can't investigate anyone higher than them

Marcc: okay an appeal is there an appeal... an appeal there isn't obviously what are you doing with the minister of justice are you writing

Des: daily to her

Marc: And getting nothing

Des: She said she couldn't speak until after the GSOC conclusion so its concluded a week ago so we've saying seres the meeting now

Marc: Have you tried talking to any politicians

Des: Clare Daley has raised a couple of things... in the dail

Marc: Has she been sympathetic

Des: Yes... she knows what there like... she knows whats going on down there

Marc: Has she given any advice

Des: No

Marc: Its very difficult... In a way a lot of this is when you put your hand up to be counted and tell the truth against institutions and organisations you quite often can't win

Des: Yeah

Marc: I mean I've seen it on others sides answering people lose there jobs people end up

Des: Your looking at it

Marc: the fall guys

Des: Your looking at it

Marc: when has... your not the only ones

Des: I know

Marc: there's many of them... theres many of them and we saw it in the media Christmas with Pickard and thing and all that stuff okay they prevailed in the end didn't they

Des: Or have they... I mean there'll get them in the long grass wont they

Marc: They will... there'll end up with cancer so thats a comment on the futility sometimes on these things you know

Des: Well todays purposes Mark were to come along

Marc: and todays purposes

Des: We needed the confirmation that we were discussing Alcohol in London and in Dublin your man said you are checking your notes the man said 185 and the first words out of my mouth when the three of us were sitting together on this side of the table were... what about the alcohol Michael the police alcohol... No he said that is to encompass everything and then he used that c word that I can't pronounce which meant he was not going to put the alcohol in there in the box.. hats gloves alcohol... lump what in

Marc: But does that not mean it was lumped into the ultimate settlement... either of you

Des: We No we refused the offer

Marc: On that occasion

Des: Yeah and the alcohol was never bought again

Marc: I agree with that... I tend to agree with that I'll check my file I need to provide you with a copy of the letters that we sent I may as well do it with various letters I'll provide you with copies of all of the letters I'll provide you with my notes, copies copies of my notes

Des: No Marc, can you not can I ask you five questions on an email and you can consider them and you can come back with I think we want to keep this simple I think bvb and

Marc: Okay try .. send me the questions I want to be very careful because this could end up in the tribunal

Des: I want you be very careful

Marc: I want to be very careful

Des But I want to tell you something we are in the mix again we are in the street again that brought the last bit of success we've out in the street and we've gonna we've gonna... Crothers is saying Mr Kanes behaviour might change now after GSOC... he said in the Mayo press because my staff and some of the locals are getting upset WELL FUCK ME MICHAEL you think their upset... what about us

The closing comments are unintelligible other than

Des: Today's the first day I'am their tomorrow



