

MR. ROGERS, EXAM. BY MR. MERRICK

1           Do you know if the Federal Government would have had  
2 any mechanisms by which it might have been able to come  
3 in to force Curragh to at least take some steps to re-  
4 establish the mine, partly for investigation, partly for  
5 recovery, maybe for salvaging purposes?

6       A.    No, I -- the operator quickly went bankrupt, and the  
7 mine site was basically sequestered for purposes of  
8 evidence-gathering.  And I believe that there was an  
9 assessment made of what might be done to recover the  
10 bodies of the miners, but this was not -- there was not  
11 another procedure that the Federal Government was  
12 undertaking, to my knowledge.

13       Q.    But -- and I want to make sure I've understood this.  
14 Would not the undertakings that the Federal Government  
15 was in possession of on May the 10th, '92, have been  
16 adequate to have gone to Curragh and said, "Now, look,  
17 it's time to put some money into this thing to do this  
18 salvaging operation.  We've got you on the hook."

19       Curragh wasn't bankrupt then.  Would you have not had the  
20 mechanisms by which you could have put that pressure on?

21       A.    Well, this is a terribly confusing period of time  
22 with a great deal of activity under way in which I think  
23 the primary -- or the main priorities were to sequester  
24 the site for purposes of establishing the facts of what  
25 happened and to endeavour to see what could be done to