

presence of Mr. Cumberbatch, my lawyer and my wife ... the first time I saw Exhibit "SSL1" is when it was shown to me at your office when I was looking for representation, because the plaintiff had put me in court."

[24] In assessing the credibility of Mr. Suttle on this issue I find him to be a less than candid and truthful witness and his credibility was totally destroyed under cross-examination.

[25] When shown page 4 of the original of Exhibit "SSL1" Mr. Suttle under cross-examination said:

"I see my name on page 4. I did not put it there. You don't have to sign your name in one way. *I sign my name anyhow. It would appear that this is one of the anyhow ways in which I sign my name. I am emphatically denying that I put it there. (Emphasis added).*

He was also evasive and contradictory in his responses. Still under cross-examination he stated:

"I signed the agreement in the presence of my wife and Mr. Cumberbatch. My wife also signed. *I can recognize my wife's signature. I now say I don't know how my wife does write. I am truthful to everything that I swear to.*"(Emphasis added).

[26] As to the content of the agreement that he testified he signed, under cross-examination he said:

"In the agreement that I say I signed I can't remember what the purchase price was. It is not an agreement with 20 lots pon it."