

# SUPREME COURT OF YUKON

Citation: *Sabo v. Attorney General of Canada et al.*,  
2011 YKSC 51

Date: 20101018  
Docket S.C. No.: 01-A0226  
Registry: Whitehorse

BETWEEN:

DANIEL SABO

PLAINTIFF

AND:

THE ATTORNEY GENERAL OF CANADA, MARCEL CLEMENT,  
RICHARD HERD, GINA LECHEMINANT, CPL. DAN PARLEE,  
CHARLES F. ROOTS, BILL SCHNECK, JOHN WOOD

DEFENDANTS

Before: Mr. Justice A.W. Germain

Appearances:

Daniel Sabo  
Alexander Benitah, and  
Suzanne M. Duncan  
Daniel Shier

Appearing on his own behalf  
Counsel for the Defendants  
Counsel for the Defendant Bill Schneck

## **RULING ON QUALIFICATION OF EXPERT WITNESS DELIVERED FROM THE BENCH**

[1] GERMAIN J. (Oral): I am satisfied, looking at Mr. Ronald Schiefke's CV and also hearing from him under oath, remotely from his home location, that he is indeed a tool mark expert. He has given evidence on tool marks many times before.

[2] He very fairly admitted that he has limited expertise in tool marks on rock and/or

meteorites. That would not be hard to fathom, given how few meteorites there are and, in fact, that is the whole gravamen of this case, that a meteorite is alleged to be a very rare occurring item and, therefore, its value is enhanced.

[3] In this particular case, the lawyers for the defendants seek to have me declare Mr. Schiefke not to be an expert. I believe that any issues that they raise in their cross-examination of Mr. Schiefke on his qualifications go to weight of his expertise and to which weight I will put on his evidence. I am going to hear his evidence as presented by Mr. Sabo.

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GERMAIN J.