

13:40:17 1

**THE TRIBUNAL RESUMED AS FOLLOWS ON MONDAY,**

2

**21ST JANUARY 2008, AT 2:00 P.M:**

3

4

14:11:46 5

CHAIRMAN: All right, Ms. Dillon.

6

7

MS. DILLON: Good afternoon, Sir. Mr. Dunlop, please.

8

9

14:11:52 10

**MR. FRANK DUNLOP, HAVING BEEN SWORN, WAS QUESTIONED**

12

**BY MS. DILLON AS FOLLOWS:**

13

14

14:11:58 15

16

CHAIRMAN: Good afternoon, Mr. Dunlop

17

A. Good afternoon, Judge, Ms. Dillon.

18

19

MS. DILLON: Good afternoon, Mr. Dunlop.

14:12:04 20

21

On the last occasion which you were here we had concluded the day's sessions by

looking at a document where you had immediate an application for money to

22

invest in a technology company and you had made that application to Allied

23

Irish Bank in March of 1999, isn't that right?

24

A. Correct.

14:12:21 25

26

Q. 1 Now at this time you had ongoing correspondence with the Tribunal but you also

were putting in on a regular basis your invoices in respect of your retainer

27

isn't that right?

28

A. That correct yes.

29

Q. 2 And at 13479 on the 31st of March you put in your normal retainer to Barkhill,

14:12:39 30

isn't that right?

14:12:40 1 A. Correct.

2 Q. 3 And that was paid in the normal fashion on this occasion on the 7th of May

3 1999, isn't that right?

4 A. Yes.

14:12:47 5 Q. 4 Now I think that if we look at 13490. In the week beginning the 12th of April

6 1999 you have an entry on the 13th of April for "OOC meeting" where and then

7 there are a number of times given, isn't that right?

8 A. Correct yes there is a time, a time frame 10.15 to 12.30.

9 Q. 5 Yes. And then on the 15th there is also a reference "Owen O'C?"

14:13:14 10 A. Yes.

11 Q. 6 Isn't that right?

12 A. Yes.

13 Q. 7 Again may the Tribunal take it that that contact with Mr. O'Callaghan would

14 primarily have been predicated upon the investigations of the Tribunal that

14:13:24 15 were then in being in connection with Quarryvale?

16 A. Well not totally. I mean yes. I would not deny that the issue of the

17 Tribunal's investigations might have arisen, yes.

18 Q. 8 Yes, well what other matter would have arisen Mr. Dunlop?

19 A. Well Mr. O'Callaghan, as I said to you last week I think it was, Mr.

14:13:41 20 O'Callaghan had a practice when he was in town of making contact with me and

21 this was in accord with that practice. But I would not deny that if Mr.

22 O'Callaghan came to see me or sought to see me or I met with him that the

23 Tribunal would not be referred to.

24 Q. 9 Yes. And I think you had agreed on the previous occasion that the quantum of

14:14:04 25 your contact with Mr. O'Callaghan on a face-to-face basis did increase from the

26 time that the Tribunal commenced its inquiries into Quarryvale by contacting

27 both yourself and Mr. O'Callaghan, isn't that the position?

28 A. That is the position.

29 Q. 10 Yes. And that is recorded on any analysis of the contact in your diaries,

14:14:21 30 isn't that the position?

14:14:23 1 A. Correct.

2 Q. 11 Now I think again if I can just draw to your attention at 13491 Mr. Dunlop.

3 It's just an entry on the 24th, Saturday the 24th?

4 A. Saturday the 24th.

14:14:35 5 Q. 12 And it's an entry "3K to Jimmy for horse?"

6 A. Yes.

7 Q. 13 "3K due next Saturday"?

8 A. Yes.

9 Q. 14 This will give me 50 per cent ownership of Chestnut?

14:14:46 10 A. Yes.

11 Q. 15 In 1999 did you buy an interest in a horse?

12 A. For my daughter, yes.

13 Q. 16 For your daughter?

14 A. Yes.

14:14:53 15 Q. 17 And you recorded that in your diary, isn't that right?

16 A. Yes.

17 Q. 18 And who was the Jimmy in question?

18 A. You absolutely have me in relation to his surname but I will certainly supply

19 it. There is no difficulty about it. He was a person with whom my daughter

14:15:08 20 was training, her horse was with this man.

21 Q. 19 Yes. You made a note in 1999 of the amount that you were expending to buy a 50

22 per cent interest in a horse for your daughter?

23 A. Yes.

24 Q. 20 You made no note in 1992 when you expended 62,000 pounds in respect of the

14:15:28 25 other horse?

26 A. Correct.

27 Q. 21 Why did you change your position in 1999 Mr. Dunlop to record a much smaller

28 transaction in relation to a horse?

29 A. That I can't tell you. I obviously did by virtue of the fact that I was doing

14:15:42 30 this with Jimmy but I can't say why I made a note of it but certainly I did

- 14:15:46 1 make a note of it.
- 2 Q. 22 Yes. I suggest to you that it's unusual if you were prepared to, if you were  
3 prepared to make a record in 1999 of a relatively small transaction in relation  
4 to the purchase of a half share in a horse that it's likely that when you made  
14:16:01 5 a much larger transaction to buy an entire foal, as you've told the Tribunal,  
6 that you wouldn't have recorded that somewhere?
- 7 A. Yeah, well I didn't.
- 8 Q. 23 I see. And if I can just show you at 13492 Mr. Dunlop. For the week beginning  
9 the 26th of April and while you are meeting with your legal team on Monday the  
14:16:30 10 26th you also have an entry on the 29th for Mr. O'Callaghan, isn't that right.  
11 29th?
- 12 A. Yes.
- 13 Q. 24 "OOC in town?" and then at the bottom of the page "OOC? where" and in between  
14 your meeting LK Shields and, Accountants isn't that right?
- 14:16:41 15 A. Yes.
- 16 Q. 25 Again would one of the matters that you would have been in contact with Mr.  
17 O'Callaghan at this stage been the Tribunal's ongoing inquiries?
- 18 A. It may well be but there are question marks in relation to all of the  
19 references to Mr. O'Callaghan in that entry. Whether or not that actually  
14:16:56 20 meeting took place or not I can't say.
- 21 Q. 26 And it might assist you to see Mr. Dunlop 13493 which is an invoice in respect  
22 of legal fees dated the 27th of April 1999. As I understood your previous  
23 evidence you say these invoices issued after discussion or agreement with Mr.  
24 O'Callaghan, isn't that right?
- 14:17:13 25 A. That's correct, yes.
- 26 Q. 27 And that you didn't issue any invoice for the legal fees until you had  
27 discussed and cleared that with Mr. O'Callaghan, isn't that right?
- 28 A. That is correct.
- 29 Q. 28 So an invoice dated 27th of April 1999 would have required, if not a  
14:17:27 30 face-to-face meeting, certainly a conversation or discussion with Mr.

- 14:17:29 1 O'Callaghan to clear it isn't that right?
- 2 A. Yes. I don't think I ever suggested that any discussion with Mr. O'Callaghan  
3 in relation to the payment of fees, legal or otherwise, necessitated a  
4 face-to-face meeting. It may well certainly have arisen during the course of a  
14:17:43 5 meeting if an outstanding fee note was due but certainly it would not apply,  
6 does not follow logically that all such meetings required a face-to-face  
7 meeting.
- 8 Q. 29 Yes. I hadn't suggested that in each case Mr. Dunlop there was a face-to-face  
9 meeting. What I had suggested was that your previous evidence to the Tribunal  
14:18:01 10 had been that none of these invoices had issued until you had discussed them  
11 with Mr. O'Callaghan, isn't that right?
- 12 A. That's correct.
- 13 Q. 30 And when Mr. O'Callaghan cleared verbally with you the amount or whatever else,  
14 you then proceeded to issue the invoice, isn't that the position?
- 14:18:15 15 A. That's correct, yes.
- 16 Q. 31 And the manner in which you dealt with the issue of the legal fees was similar  
17 to the manner in which you had dealt with the Shefran invoices or the Frank  
18 Dunlop and Associates invoice, isn't that the position, you had cleared them in  
19 advance?
- 14:18:27 20 A. Yes, I had cleared them in advance, yes, certainly.
- 21 Q. 32 With Mr. O'Callaghan?
- 22 A. Yes.
- 23 Q. 33 Prior to actually issuing the invoice?
- 24 A. Correct, yes.
- 14:18:32 25 Q. 34 Unlike the retainers I suggest. The retainers were issued automatically on a  
26 monthly basis to Barkhill at this point in time?
- 27 A. They went straight out from the accounts section of the office without even my  
28 knowledge.
- 29 Q. 35 Yes?
- 14:18:45 30 A. If an agreement had been arrived at for a retainer fee of a certain amount they

14:18:50 1 went out automatically.

2 Q. 36 They didn't require any discussion with Mr. O'Callaghan, isn't that the  
3 position?

4 A. That's correct.

14:18:54 5 Q. 37 But these other invoices on foot of your agreement with Mr. O'Callaghan in  
6 October of 1998 did require a discussion in relation to each of them?

7 A. Yes, that's correct.

8 Q. 38 And we have looked at all of those invoices on the last occasion. The Tribunal  
9 may take it that prior to issuing any of those you had effectively cleared the  
10 issuing of the invoice with Mr. O'Callaghan?

11 A. Correct.

12 Q. 39 And that would have necessitated contact not necessarily face-to-face between  
13 yourself and Mr. O'Callaghan, isn't that right?

14 A. Yes, that's correct.

14:19:22 15 Q. 40 And at 13511. On the 30th of April 1999 you issue your May retainer invoice,  
16 isn't that right?

17 A. Yes.

18 Q. 41 And at 13521. In the week beginning the 3rd of May, in your diary for the 6th  
19 of May 1999 you have a meeting "9:30 OOC at F.D.A."

14:19:44 20 A. Yes.

21 Q. 42 And I suggest to you that that is a meeting that it likely to have taken place,  
22 isn't that right?

23 A. Yes it is marked -- I don't know why it is mark in the that fashion but it  
24 certainly is not deleted and I would suggest that that did take place.

14:19:57 25 Q. 43 Yes. And I think in May of 1999 at 13537 you received a request from Colm  
26 McGrath, then an independent candidate, for support for his golf classic  
27 fundraiser for the 1999 Local Elections, isn't that right?

28 A. That's correct, yes.

29 Q. 44 And he sets out in the second first paragraph that he intends to contest the  
14:20:20 30 election and he says in the second paragraph "healthy war chest is crucial to

14:20:25 1 successful election campaign and I thank you sincerely in advance for your  
2 generous support particularly in the light of the many demands made on you" and  
3 you have a handwritten note, I suggest, in your own writing Mr. Dunlop that  
4 says "sent cheque personal to value 500 Euros, did not play golf. Copy of  
14:20:44 5 cheque attached. FD 18th of May 1999"?

6 A. Yes.

7 Q. 45 Now, on previous occasions where you have made donations by way of cheque had  
8 you kept a record as meticulous a record as that?

9 A. No.

14:20:55 10 Q. 46 And are you now changing your record keeping position in, at that point in  
11 time?

12 A. Well certainly in this particular context and there may well have been others,  
13 certainly in this particular context I had made a note on this letter recording  
14 what I did.

14:21:14 15 Q. 47 Yes. And that is not something that you had done previously when you had made  
16 a donation. Certainly first of all you say when you made a cash payment, isn't  
17 that right?

18 A. Certainly not, yes certainly not.

19 Q. 48 And where you had previously made cheque payments you hadn't kept as detailed a  
14:21:28 20 record as this, isn't that correct?

21 A. No. Probably because in most instances there wasn't correspondence per se but  
22 certainly there would have been if there was a cheque payment made there would  
23 have been a stub record.

24 Q. 49 Yes. But here you are actually attaching a copy of the cheque, isn't that  
14:21:45 25 right?

26 A. Correct, yes.

27 Q. 50 So you are opening a file in your own office and keeping attached to that the  
28 request that has come in for the donation. The payment you have made by way of  
29 cheque which can be seen at 13538. This is what you attached to Mr. McGrath's  
14:22:00 30 letter?

- 14:22:01 1 A. Yes.
- 2 Q. 51 And you attach also at 13539. A photocopy of the compliments slip that you  
3 furnished to Mr. McGrath?
- 4 A. Yes.
- 14:22:13 5 Q. 52 And you say "Colm every good wish, best wish and good hunting, Frank, 18th of  
6 the 5th 1999" and you give a personal note then, isn't that right?
- 7 A. Yes. Correct, yeah.
- 8 Q. 53 So what you have kept on your file in 1999 and just for completeness at 13540.  
9 This is a letter of acknowledgement from Mr. McGrath, isn't that right?
- 14:22:38 10 A. That's correct, yes.
- 11 Q. 54 So what you have kept in that instance is a complete picture of the donation,  
12 isn't that right?
- 13 A. Correct.
- 14 Q. 55 You have kept the letter of request. You have kept the cheque you have kept a  
15 copy of the compliments slip that you sent with the cheque and you have kept  
16 Mr. McGrath's letter of thanks, isn't that right?
- 17 A. That's right, yes.
- 18 Q. 56 And that I suggest to you Mr. Dunlop in May of 1999 was a significantly  
19 different record kept by you than had been kept in respect of the 1991  
20 elections, isn't that right?
- 14:23:04 21 A. I would agree.
- 22 Q. 57 And what was the reason for that Mr. Dunlop?
- 23 A. I can't specifically state the specific reason but I was obviously anxious that  
24 any monies that I was giving by way of political donation to anybody,  
25 particularly to Colm McGrath in this particular instance, would be actually  
26 recorded and noted.
- 27 Q. 58 So that you would have a record?
- 28 A. Yes.
- 29 Q. 59 If anybody came looking for a record, isn't that right?
- 14:23:31 30 A. Yes.



- 14:23:32 1 Q. 60 And isn't, didn't you embark on this record keeping purpose Mr. Dunlop I  
2 suggest to you partly if not completely as a result of the Tribunal's inquiries  
3 at that time which were into political donations that you had made, isn't that  
4 right?
- 14:23:46 5 A. Yes. I do not discount that suggestion of yours.
- 6 Q. 61 And I think at the same time and it's a matter that I will come back to at  
7 13535. You also made a payment to Mr. John O'Halloran of 500 Pounds recorded  
8 by copy of the cheque, isn't that right?
- 9 A. Correct.
- 14:24:02 10 Q. 62 I will deal separately with Mr. O'Halloran's payment at this point in time  
11 later Mr. Dunlop. Now I think at 13523. On the 10th of May 1999 you issue  
12 another invoice for legal costs and again I suggest you would have discussed  
13 that with Mr. O'Callaghan prior to issuing the invoice, isn't that right?
- 14 A. Yes, I would have.
- 14:24:23 15 Q. 63 Yes. And I think at 13522. On the 13th of May 1999 you have an entry for LC  
16 MJC in the Grand in Malahide?
- 17 A. Yes.
- 18 Q. 64 That would have been Mr. Liam Creaven and Mr. Michael Joseph Cosgrave?
- 19 A. Correct.
- 14:24:42 20 Q. 65 And it appears throughout 1999 and indeed into 2000 that of all of the  
21 councillors you appear to be meeting both of these on a regular basis?
- 22 A. That's correct.
- 23 Q. 66 Right. And in the course of these meetings with Mr. Cosgrave and Mr. Creaven  
24 would you have discussed with him the fact that you were the subject matter of  
14:24:59 25 inquiry by the Tribunal?
- 26 A. Yes and they would have told me if they ever got documentation from the  
27 Tribunal.
- 28 Q. 67 Yes. And other than standard documentation?
- 29 A. Yes.
- 14:25:08 30 Q. 68 I think at this stage Mr. Cosgrave and Mr. Creaven hadn't received anything

- 14:25:12 1 other than correspondence that had been addressed to all of the councillors?
- 2 A. That's correct.
- 3 Q. 69 So that there would it be fair to say that insofar as your conversations with
- 4 Mr. Creaven and Mr. Cosgrave were concerned, you didn't hold anything back from
- 14:25:26 5 them?
- 6 A. Other than to tell them that I was the subject of inquiry by the Tribunal and I
- 7 didn't have any difficulty in telling him that.
- 8 Q. 70 Yes. And would you have discussed with them particularly what the Tribunal was
- 9 looking for, bank account records and details of payments that had been made or
- 14:25:42 10 matters such as that sort?
- 11 A. Yes I may well have done. Depending on whatever the latest piece of
- 12 documentation that I had received, if that co-incided with a meeting with them
- 13 where we normally met at lunchtime, yes I probably would have said that I had
- 14 got another letter, yes.
- 14:26:00 15 Q. 71 And at 13534. Which is the week beginning the 17th of May. I just want to
- 16 draw to your attention, Mr. Dunlop, on the 20th of May you have a question mark
- 17 "Owen O'Callaghan in town?"
- 18 A. Yes.
- 19 Q. 72 And again, you have meetings with your legal team at the same time, isn't that
- 14:26:21 20 right?
- 21 A. Yes.
- 22 Q. 73 And I think on the 20th of May you paid 13541, please. Your second payment to
- 23 the revenue, isn't that right?
- 24 A. Yes.
- 14:26:32 25 Q. 74 In the sum of 228,544 Pounds?
- 26 A. Correct.
- 27 Q. 75 And this I think you financed from the balance of the funds that were standing
- 28 to your account and you had transferred in funds from Allied Irish Finance?
- 29 A. That's correct, yes.
- 14:26:48 30 Q. 76 To meet with that?

14:26:48 1 A. Yes.

2 Q. 77 You didn't make any application according to the documentation that the  
3 Tribunal has been provided with to Mr. O'Callaghan on this occasion?

4 A. Correct.

14:26:56 5 Q. 78 Isn't that right? You didn't or did you Mr. Dunlop discuss any further payment  
6 around this time with Mr. O'Callaghan?

7 A. Any further payment from Mr O'Callaghan, no, I did not.

8 Q. 79 Yes. And since the receipt of the 300,000 Pounds in 1998 Mr. Dunlop have you  
9 sought verbally from Mr. O'Callaghan any further payment by way of success fee?

14:27:20 10 A. No, I have not.

11 Q. 80 Right. Did you -- was it ever suggested Mr. Dunlop by you that the payment in  
12 respect of the legal fees might in fact be part of the success fee?

13 A. No.

14 Q. 81 And are you clear that the legal fees are a stand alone item and are not in any  
15 way connected to any question of a success fee or any prior arrangement you  
16 might have had with Mr. O'Callaghan for the payment of funds?

14:27:40 17 A. Yes, I am so satisfied.

18 Q. 82 And again, throughout this time at 13564 in May of 1999. A copy of your  
19 invoice to Barkhill Limited which again was paid, isn't that right?

14:28:01 20 A. Correct.

21 Q. 83 Right. And at 13574. On the 10th of June 1999 Mr. Dunlop, you have an entry  
22 for Mr. Fingleton, isn't that right?

23 A. Sorry I've lost you.

24 Q. 84 On the 10th?

14:28:27 25 A. Sorry Ms. Dillon, yes.

26 Q. 85 And does that Mr. Fingleton in charge of a building society?

27 A. The Irish Nationwide.

28 Q. 86 Yes. Why were you seeing Mr. Fingleton at that time?

29 A. I was ... I was attempting, it may not be this particular actual meeting, but I  
14:28:49 30 met Mr. Fingleton on a number of occasions. One in relation to the possible

- 14:28:55 1 purchase of a site. Two, in relation to the possible use of my Citywest  
2 investment as collateral for a loan for the, from the Irish Nationwide. And  
3 three, I think they were the two main issues. There may have been one or two  
4 other issues that I discussed with Mr. Fingleton but they weren't of any  
14:29:21 5 import.
- 6 Q. 87 Yes. Would you have inquired for example of Mr. Fingleton whether the Irish  
7 Nationwide Building Society had received any correspondence from the Tribunal  
8 in connection with you having an account with them for example?
- 9 A. No, I did not.
- 14:29:33 10 Q. 88 Had you disclosed to the Tribunal at this stage the fact that you held an  
11 account in the Irish Nationwide Building Society?
- 12 A. By June 1999, no.
- 13 Q. 89 Now I think again at on the 9th June 1999 at 13585 9th of June. A further  
14 invoice in respect of legal fees was raised by you. The Tribunal may take it  
14:29:56 15 Mr. Dunlop that again you would have cleared that with Mr. O'Callaghan?
- 16 A. Yes.
- 17 Q. 90 Isn't that right? Now, I think that at 13601. By the week beginning the 21st  
18 of June I think the Tribunal had written to your solicitors about the fact that  
19 you had not complied with any of the requests for information that had been  
14:30:17 20 sought by that stage. The letter is dated the 23rd of June 1999. And it  
21 refers to the earlier correspondence Mr. Dunlop. And I think your solicitors  
22 did write back to the Tribunal on the 29th of June to say that you would  
23 comply, isn't that right?
- 24 A. I think that's correct, yes.
- 14:30:36 25 Q. 91 Yes but in fact by that stage you hadn't complied by the 23rd of June even in  
26 the subsequently limited form in which you did comply, you had at this stage  
27 made no documentation of any kind available to the Tribunal, notwithstanding  
28 that the original request had been made to you in October of 1998, isn't that  
29 right?
- 14:30:57 30 A. Correct.

- 14:30:58 1 Q. 92 Now, I think at 13602. Just note on the 29th of June I think your solicitors  
2 wrote and said that you would comply and you intended to comply as soon as  
3 possible. And on the 30th of June that the Tribunal wrote back and said that  
4 was too open ended and that you were to make discovery immediately?
- 14:31:20 5 A. Uh-huh.
- 6 Q. 93 Right. Now, I think that on the 1st of June 1999 you have an entry in. Sorry.  
7 The 1st of July that is of 1999. You have an entry in your diary for -- that's  
8 scribbled over and I think beneath it is OOC in Dublin at F.D.A.?
- 9 A. Yes.
- 14:31:40 10 Q. 94 I think in fact such a meeting took place on Friday the 2nd?
- 11 A. Yes.
- 12 Q. 95 So by the time you meet with Mr. O'Callaghan on Friday the 2nd you would have  
13 known would you not Mr. Dunlop of the fact that your solicitors had written  
14 back to the Tribunal, had said it was your intention to comply with the  
15 Tribunal's request albeit no time for such compliance had been given and that  
16 the Tribunal had replied on the 30th saying I think in fairly clear and  
17 unequivocal language that they wanted the discovery immediately?
- 18 A. Yes.
- 19 Q. 96 But no later than the 2nd of July, isn't that right?
- 14:32:12 20 A. Correct.
- 21 Q. 97 Now, when you met with Mr. O'Callaghan on the 2nd of July of 1999, is it likely  
22 that you would have discussed this with Mr. O'Callaghan, that you were now in a  
23 position where you were about to make discovery to the Tribunal imminently?
- 24 A. Yes, I think it is likely as I have said before that in any meeting with  
14:32:32 25 Mr. O'Callaghan in or around this time that I would have discussed  
26 correspondence from the Tribunal and what I was or was not going to do.
- 27 Q. 98 Yes. So that Mr. O'Callaghan would have known on the 2 of July of the in  
28 general terms the nature of the correspondence between your solicitors and the  
29 Tribunal?
- 14:32:48 30 A. Yes, I should point out. I should say to you, Ms. Dillon, that I do not

14:32:53 1 recollect ever showing any documentation that I received from the Tribunal to  
2 Mr. O'Callaghan other than discussing the fact that I had received  
3 documentation from the Tribunal and on occasion what the general thrust of that  
4 documentary request was.

14:33:08 5 Q. 99 Yes but you were keeping Mr. O'Callaghan appraised as you met him?

6 A. Oh, yes.

7 Q. 100 With the state of play as it were between yourself and the Tribunal?

8 A. Oh, yes Mr. O'Callaghan would have known had anyone asked him on the afternoon  
9 of Friday the 2nd of July 1999 that I had received documentation from the  
10 Tribunal and that my solicitors had responded to the effect that I was going to  
11 respond and that the Tribunal had itself responded and said that the 2nd of  
12 July was the deadline or whatever date they had said. Yes, the likelihood is  
13 yes.

14 Q. 101 And I think that in, the following week, Mr. Dunlop, at 13615. On the 6th of  
15 July I think your affidavit and your documents, your affidavit as to documents  
16 was provided to the Tribunal?

17 A. Uh-huh.

18 Q. 102 And on the 7th of July the actual affidavit and the copy documents I think were  
19 provided to the Tribunal, isn't that right?

14:34:18 20 A. Yes.

21 Q. 103 Right. Now, I think that we have already seen that the information you  
22 provided to the Tribunal on that occasion or at that time included information  
23 in relation to what you described as your political contributions, isn't that  
24 right?

14:34:33 25 A. Yes.

26 Q. 104 And that wasn't a full by any means or complete picture, isn't that right?

27 A. Correct.

28 Q. 105 Now, I think that insofar as you disclosed the existence of bank accounts to  
29 the Tribunal, you disclosed a number of bank accounts held at Allied Irish  
14:34:48 30 Bank, isn't that right?

- 14:34:48 1 A. Yes, I did.
- 2 Q. 106 You disclosed the following accounts. An account in the name of Frank and  
3 Sheila Dunlop, account number 12909006 held at AIB?
- 4 A. Yes.
- 14:35:00 5 Q. 107 You disclosed an account in the name of Shefran Limited, 48181083, held at  
6 Allied Irish Bank, isn't that right?
- 7 A. Correct.
- 8 Q. 108 And an account in the name of Frank Dunlop, account number 13111 - 180. Which  
9 was a current account in your name only at AIB, isn't that right?
- 14:35:20 10 A. Yes.
- 11 Q. 109 And an account in the name of Frank Dunlop & Associates at AIB 11253067 -- and  
12 a loan account in the name of Frank and Sheila Dunlop, account number 12909279,  
13 isn't that right?
- 14 A. Yes.
- 14:35:34 15 Q. 110 Now you didn't disclose the existence of the account in the Irish Nationwide,  
16 isn't that correct?
- 17 A. That's correct.
- 18 Q. 111 You didn't disclose the existence of the Shefran account held at Bank of  
19 Ireland in Westland Row?
- 14:35:51 20 A. That's correct.
- 21 Q. 112 You didn't disclose the existence of the Xerxes account held at Midland Bank?
- 22 A. Correct yes.
- 23 Q. 113 And you didn't disclose the existence of the 067 account, the Rathfarnham Road  
24 account held at AIB in Terenure, isn't that right?
- 14:36:05 25 A. Correct yes.
- 26 Q. 114 And there were a number of other smaller loan accounts that you hadn't  
27 disclosed also, isn't that right?
- 28 A. Correct.
- 29 Q. 115 But insofar as there were substantial bank accounts that held or had held  
14:36:17 30 during the period covered by the order substantial funds that were connected

- 14:36:22 1 insofar as they received funds that were generated by the Quarryvale endeavour,  
2 you didn't disclose those accounts, isn't that right?
- 3 A. At that time yes.
- 4 Q. 116 At that time?
- 14:36:32 5 A. Yes.
- 6 Q. 117 Yes. Isn't that the position?
- 7 A. Correct.
- 8 Q. 118 Now, I want to show you the entry that's on screen, Mr. Dunlop, for the 6th?
- 9 A. Yes.
- 14:36:40 10 Q. 119 The 6th was the day that the letter was sent from your solicitors on the 6th of  
11 July in which a draft copy affidavit was sent and the solicitor said a sworn  
12 copy would follow?
- 13 A. Yeah.
- 14 Q. 120 Now you see there that some matter has been over written, isn't that right?
- 14:36:56 15 A. Correct yeah.
- 16 Q. 121 All right. Do you have or can you assist the Tribunal at all as to what it was  
17 that's overwritten there Mr. Dunlop?
- 18 A. Has this been subject to forensic analysis?
- 19 Q. 122 That I cannot answer you, Mr. Dunlop. I think the answer to that is yes but I  
14:37:09 20 don't have the information yet?
- 21 A. Yes. Well if we bring it up a little closer.
- 22 Q. 123 Yes. Please.
- 23 A. No. No. I'm not ... no, I'm afraid I wouldn't even attempt at this remove to  
24 work-out what that one is. It looks ... it looks up in the right hand corner  
14:37:51 25 that there may be something to OOC or something like that but I cannot  
26 absolutely say for definite.
- 27 Q. 124 Yes?
- 28 A. It ... no I'm afraid I can't help you except for the word "in" at the very  
29 bottom. No.
- 14:38:10 30 Q. 125 Is it likely Mr. Dunlop that it's probably again some reference to a financial



- 14:38:19 1 arrangement of some sort?
- 2 A. Well it could be, yes, it could be.
- 3 Q. 126 It could be?
- 4 A. I wouldn't discount that at all.
- 14:38:47 5 Q. 127 The matters that were ongoing Mr. Dunlop at that particular point in time was  
6 the delivery of your first parcel of information to the Tribunal, isn't that  
7 right?
- 8 A. Correct.
- 9 Q. 128 And that took place, it was indicated to your solicitors on the 6th by way of a  
10 draft affidavit and the affidavit and the documents were supplied on the 7th?
- 11 A. Yes.
- 12 Q. 129 Do you think that it's likely that whatever was originally written on that  
13 page, Mr. Dunlop, 13615 was connected in some way to the activity taking place  
14 on the 6th and the 7th. Namely the production of information to the Tribunal?
- 14:39:06 15 A. Yes it could be. I certainly wouldn't deny that similar to the question you  
16 asked me in relation to -- did it relate to a financial matter. It certainly  
17 could be. Do you have the original diary there, Ms. Dillon?
- 18 Q. 130 Not available Mr. Dunlop?
- 19 A. Okay. It's with the forensics, yes, yeah.
- 14:39:41 20 Q. 131 I will be returning at the end of your evidence when you have been furnished  
21 with the documentation?
- 22 A. Yeah.
- 23 Q. 132 And it may be that we will be able to decipher some of this material Mr. Dunlop  
24 but I am trying to assist you as best I can by showing you the matters that  
14:39:59 25 were then current and what was happening at the time to see does any of that  
26 assist you in considering what was it that you put into your diary for the 6th  
27 that you subsequently obliterated?
- 28 A. Yes. Following what you suggested to me in relation to that it might possibly  
29 be something financial or it might be something to do with the issue in  
14:40:18 30 relation to the production of documentation. Both of those are possible. I

- 14:40:21 1 would not state specifically in either case that that is the case. But I mean  
2 both of them are possible, yes.
- 3 Q. 133 In any of your discussions with Mr. O'Callaghan prior to the production of your  
4 first discovery on the 6th and 7th of July 1999. Had you told Mr. O'Callaghan  
14:40:40 5 that it was not your intention to make full disclosure to the Tribunal of your  
6 financial records?  
7 A. No, I did not have any such discussion with Mr. O'Callaghan of that nature.
- 8 Q. 134 And what did you indicate to Mr. O'Callaghan you were doing in connection with  
9 the discovery request from the Tribunal?
- 14:40:58 10 A. I think in general terms any discussion that I had with Mr. O'Callaghan was in  
11 relation to the documentation that we had received and something to the effect  
12 that you know my solicitors are going to deal with the matter or it's going to  
13 be dealt with. I do not recollect ever having a conversation with Mr.  
14 O'Callaghan in relation to anything to do with the Tribunal on a substantive  
14:41:18 15 issue other than what we traversed a day or two ago in relation to the records  
16 of the payments to Frank Dunlop, Frank Dunlop & Associates and Shefran.
- 17 Q. 135 Yes. Now, I think that in fact invoices in connection with Shefran were in  
18 fact produced. The invoices from Shefran to Riga for 1992 were produced by you  
19 in your first affidavit of discovery?
- 14:41:44 20 A. Yes.
- 21 Q. 136 Only the ones in relation to 1992?
- 22 A. Yes.
- 23 Q. 137 Now, you have told the Tribunal that you yourself didn't keep copies of those  
24 Shefran invoices, isn't that right?
- 14:41:53 25 A. Correct yes.
- 26 Q. 138 So these must have been produced to you I suggest by Mr. O'Callaghan or  
27 somebody acting on his behalf, isn't that right?
- 28 A. As I recollect matters they were sourced at some level through Mr. O'Callaghan.
- 29 Q. 139 Yes. Now did Mr. O'Callaghan hand them to you directly or how did they, did  
14:42:11 30 they end up in your possession, Mr. Dunlop?

- 14:42:13 1 A. I can't say that he handed them to me personally or whether he sent them to me.  
2 But certainly I would have no doubt whatsoever that they emanated from a source  
3 close to him, either himself directly or something in his employ.
- 4 Q. 140 Yes. Somebody like Mr. Lucey for example?
- 14:42:32 5 A. Yes.
- 6 Q. 141 Or Mr.-- but if Mr. Lucey, I suggest sent them to you there would be a letter I  
7 suggest, isn't that right?
- 8 A. Correct yes. I don't have a vivid recollection of this. I think the  
9 likelihood is that Mr. O'Callaghan either handed them to me or sent them to me  
10 without any covering note or whatever. I don't really recollect. All I am  
11 absolutely certain of is that I did not have them in my possession and that  
12 they were sourced through some source close to Mr. O'Callaghan.
- 13 Q. 142 Yes. So that Mr. O'Callaghan provided you either directly or through somebody  
14 acting on his behalf with the missing Shefran invoices for 1992 prior to you  
15 complying with the Tribunal's request in May for discovery as you did on the  
16 6th and 7th of July 1998, isn't that right?
- 17 A. Yes.
- 18 Q. 143 So that it is from Mr. O'Callaghan, whether through Mr. Lucey or otherwise,  
19 that you had to get those documents because you didn't have them yourself,  
14:43:17 20 isn't that right?
- 21 A. Correct.
- 22 Q. 144 Now I think at 13617 on the 13th of July another invoice issued in respect of  
23 legal costs?
- 24 A. Yes.
- 14:43:42 25 Q. 145 And I think on the 15th of July at 13618. An invoice in respect of a  
26 Quarryvale expense issued to Mr. Aidan Lucey of Barkhill. And I think on the  
27 30th of July at 13619 the retainer invoice for August issued, isn't that right?
- 28 A. Yes.
- 29 Q. 146 Again may the Tribunal take it that you would have cleared the first of those  
14:44:07 30 invoices 13617 for legal fees with Mr. O'Callaghan?

- 14:44:10 1 A. Yes, I would.
- 2 Q. 147 Yes. At 13629 Mr. Dunlop. You have a meeting on the 21st of July 1999 with  
3 Mr. Rory Gleeson at Allied Irish Bank?
- 4 A. Yes.
- 14:44:26 5 Q. 148 Can you recollect what that meeting was about?
- 6 A. I can't offhand. It was either a regular meeting. He is the deputy Manager of  
7 AIB, 40 Westmoreland Street as it is now rather than College Street as it was  
8 then, as it was previously. It is either a regular meeting with Rory Gleeson  
9 or it is a possible that I might be asking Rory Gleeson to source some  
10 documentation for me.
- 11 Q. 149 That is in connection with the request made?
- 12 A. Yes.
- 13 Q. 150 Of you by the Tribunal?
- 14 A. Yes. However, I should point out to you that my solicitors did write to the  
15 solicitors to the bank seeking all or to the recognised officer of the bank  
16 seeking all return of documentation or sourcing of documentation in relation to  
17 the request from the Tribunal.
- 18 Q. 151 Yes. And I think on the following week Mr. Dunlop at 13630. There is an entry  
19 that has been over written on the 30th?
- 14:45:08 20 A. Uh-huh.
- 21 Q. 152 Of July 1999. And again, can you provide any assistance? First of all can I  
22 draw to your attention the one word that hasn't been obliterated which is "Old  
23 Castle?"
- 24 A. Yes.
- 14:45:58 25 Q. 153 Was that in connection with the Battle of the Boyne site?
- 26 A. No, no, I don't think so, no. No, that's where my wife comes from. I  
27 obviously was there for that day or something.
- 28 Q. 154 And the matter that's obliterated then Mr. Dunlop?
- 29 A. I'm afraid I can't help you Ms. Dillon. It seems to be completely, as of now  
14:46:22 30 completely obliterated and I cannot say whether it relates to Old Castle or

14:46:22 1 not.

2 Q. 155 Well the reference to Old Castle is a reference, if I understand you, to a

3 visit that you were going to make?

4 A. Yes. Or was there.

14:46:29 5 Q. 156 Yes?

6 A. For all of that day.

7 Q. 157 Yes?

8 A. No, I'm afraid I can't.

9 Q. 158 Yes. And at 13634. The monthly retainer Mr. Dunlop. Which is marked "paid",

14:46:46 10 isn't that right?

11 A. Yes.

12 Q. 159 And then on the 8th of August 1999. At 13636. There was an article by

13 Mr. Frank Connolly in connection with the size of a donation alleged to have

14 been made by Mr. O'Callaghan to Fianna Fail. And that was dated the 8th of

14:47:06 15 August. And on the same date, I don't have a page number for this, Mr. Dunlop,

16 which I will find for you. There is another separate article written by

17 Mr. Jody Corcoran in the Sunday Independent which is headed "Reynolds dinner

18 party made 150,000 Pounds". So on that day there are two stories that relate

19 to Cork and fundraising and money that was paid over. Do you understand? I

14:47:41 20 can't actually quote you from Mr. Corcoran's article until I get a copy of the

21 article for you?

22 A. Yes.

23 Q. 160 But insofar as Mr. Frank Connolly's article is concerned at 13636. It opens by

24 saying "confusion surrounds the scale of a very significant financial

14:48:01 25 contribution made to Fianna Fail by Cork developer Owen O'Callaghan in 1994.

26 According to sources close to the developer, O'Callaghan contributed a sum of

27 100,000 Pounds late in that year during a financial drive to reduce the party's

28 debt?"

29 A. Uh-huh.

14:48:15 30 Q. 161 Now, are you THE source close to the developer Mr. Dunlop? Did you speak to

- 14:48:19 1 Mr. Connolly about this?
- 2 A. No.
- 3 Q. 162 Were you aware that this story was going to be published in advance of the  
4 publication?
- 14:48:27 5 A. I cannot absolutely say that I was. And if I was, the only person who would  
6 have been able to tell me was Mr. O'Callaghan.
- 7 Q. 163 Right?
- 8 A. Because on a number of occasions inquiries were made to Mr. O'Callaghan's own  
9 PR man in Cork or to his own Cork office in relation to matters of this nature.  
14:48:44 10 Now, I would have certainly have discussed the matter with Mr. O'Callaghan on  
11 publication but prior to publication, no.
- 12 Q. 164 All right. And after the matter was published did you have a discussion with  
13 Mr. O'Callaghan where he identified the actual amount that had been paid?
- 14 A. Yes, I would -- in the normal course of events I would have discussed this  
14:49:06 15 story, like other stories in Sunday newspapers with Mr. O'Callaghan on Saturday  
16 evening on the -- on the Saturday evening prior to the normal publication  
17 because I would have got the papers at about 10 o'clock that Saturday evening.
- 18 Q. 165 And did Mr. O'Callaghan tell you how much he had actually paid?
- 19 A. I don't recollect Mr. O'Callaghan ever telling me how much he actually paid. I  
14:49:33 20 think Mr. O'Callaghan did tell me that there was some dinner I think that he  
21 attended and that it was attended by, if my recollection is correct, Albert  
22 Reynolds, and I think that he named the person's house in which it took place,  
23 and that it was a fundraiser, yes but I don't think he ever actually told me  
24 how much money he had given.
- 14:49:59 25 Q. 166 At that dinner or in that year?
- 26 A. Correct yes.
- 27 Q. 167 So is it that he didn't tell you how much he had given at the dinner or he  
28 didn't tell you how much he had given in 1994?
- 29 A. Yes I became aware, I can't say when, probably via Mr. O'Callaghan, whether  
14:50:20 30 subsequent to a story being written about it or not but certainly by

14:50:24 1 Mr. O'Callaghan himself that he had made political donations of a sizeable  
2 nature at some stages during the course of the 90's yes.

3 Q. 168 Well were you asked by Mr. O'Callaghan to clarify or correct or put the record  
4 straight in relation to this matter?

14:50:46 5 A. I don't recollect that I was because as I said this matter was being dealt with  
6 locally, if I can use that word, in the context of Mr. O'Callaghan's PR  
7 consultant in Cork. I can't absolutely say to you whether I -- when is the  
8 last time I ever spoke to Mr. Connolly in relation to any matter vis-a-vis  
9 either Quarryvale or Mr. O'Callaghan but I don't recollect Mr. O'Callaghan  
10 asking me to correct anything or to give any explanations in relation to this  
11 matter.

12 Q. 169 Right. For example in the second column?

13 A. Yes.

14 Q. 170 And in the second last paragraph and the paragraph commences "however a senior  
15 party source said that the O'Callaghan contribution came much later that year  
16 and was not directly related to the dinner. He side that no donations were  
17 made at the dinner party itself?"

18 A. Yeah.

19 Q. 171 Now that's a reference to the fundraising dinner party that took place on the  
14:51:47 20 11th of May 1994?

21 A. Yes.

22 Q. 172 And it is factually incorrect insofar as it appears that there was at least  
23 50,000 Pounds donated at the dinner party?

24 A. Yes.

14:51:56 25 Q. 173 Or immediately after it on the following day insofar as two people were  
26 concerned. So that that particular piece of information is not correct, isn't  
27 that right?

28 A. That's correct, yes.

29 Q. 174 Yes. And do you have any memory of discussing it with Mr. O'Callaghan, Mr.  
14:52:13 30 O'Callaghan saying look, for example, that story's not right. There were

- 14:52:17 1 donations taken up on the 11th of March 1994. I myself paid 10,000 Pounds?
- 2 A. I don't recollect. I don't recollect him actually saying anything of that
- 3 nature. I think I took it from the conversation that I had with Mr.
- 4 O'Callaghan that it was a fundraising dinner and Mr. O'Callaghan was speaking
- 14:52:33 5 to me. I know something about fundraising events and fundraising dinners for
- 6 political party purposes. And I certainly took it as a given that this was a
- 7 party fundraising dinner and if it's a party fundraising dinner then normally
- 8 funds are raised or money is given. I don't recollect Mr. O'Callaghan telling
- 9 me for example so much was raised, who gave it, whether he gave anything or
- 14:53:02 10 not. I do recollect him telling me that there was a dinner. I do recollect
- 11 him telling me, unless I'm badly mistaken in, in whose house the fundraising
- 12 took place. That the Taoiseach was there, Albert was there. And I think that
- 13 was the general orientation of the conversation.
- 14 Q. 175 But there was no discussion between yourself and Mr. O'Callaghan, if I
- 14:53:36 15 understand you correctly, as to the amount that Mr. O'Callaghan had paid either
- 16 at the dinner or in 1994 to Fianna Fail?
- 17 A. On this particular occasion I ... yes there were discussions with Mr.
- 18 O'Callaghan. I cannot say specifically in relation to this story. Yes there
- 19 was. I did have discussions with Mr. O'Callaghan in relation to monies that he
- 14:53:58 20 had paid to Fianna Fail through the 90's when those discussions actually took
- 21 place, when he informed me of or didn't inform me of the actual amounts, I
- 22 cannot say specifically when that occurred. This story was not generated
- 23 obviously by me. I had no participation in the story. The only recollection I
- 24 have is discussing the story with Mr. O'Callaghan subsequent to his publication
- 14:54:22 25 on the Saturday night and yes, as a result of that there would have been a
- 26 conversation with Mr. O'Callaghan about the event.
- 27 Q. 176 The other article on the same day, which was published at 13637. On the same
- 28 subject which deals Reynolds dinner party made 150,000 Pounds?
- 29 A. Uh-huh yeah.
- 14:54:46 30 Q. 177 And "businessmen made donations after private gathering in Cork" and the



14:54:52 1 opening paragraph states "property developer Owen O'Callaghan gave 50,000  
2 Pounds to Fianna Fail in 1994 following a dinner with the then Taoiseach Albert  
3 Reynolds, the Sunday Independent has learnt. Almost 150,000 Pounds was  
4 collected as a result of the private gathering which was attended by 12  
14:55:09 5 businessmen at the written invitation of Mr. Reynolds and then Party Treasurer  
6 Bertie Ahern. Most of those present including Mr. O'Callaghan stumped up  
7 between 5 and I think it may be 30,000 each but shortly afterwards the  
8 developer made a further donation of more than 50 thousand Pounds it has been  
9 established".

14:55:28 10  
11 In the course of considering this article do you recollect Mr. O'Callaghan  
12 saying look, this is factually incorrect, this is not what happened?

13 A. No, I ... I recollect Mr. O'Callaghan getting a little bit exercised about a  
14 number of these stories from time to time because I was the messenger. I was  
14:55:47 15 the one telling him what was actually in the newspaper and in most instances  
16 Mr. O'Callaghan had pre knowledge that there was going to be articles of this  
17 nature because his office would have been contacted or his personal PR  
18 consultant in Cork would have been contacted. And again, no, other than Mr.  
19 O'Callaghan saying that there were, there was a function, money was collected.  
14:56:16 20 I don't recollect him specifically telling me how much he had given on any of  
21 these occasions on fundraising dinners in Cork.

22 Q. 178 But in any event Mr. Dunlop, you weren't asked in your capacity as one of Mr.  
23 O'Callaghan's public affairs consultants to correct or to deal in any way with  
24 either of these stories, isn't that right?

14:56:43 25 A. No, this is 1999 isn't it, Ms. Dillon.

26 Q. 179 Yes?

27 A. No, I don't think at this stage any contact with the journalists like  
28 Mr. Connolly and Mr. Corcoran was at a minimum.

29 Q. 180 Yes?

14:56:51 30 A. Very significant minimum as far as I was concerned.

- 14:56:53 1 Q. 181 This is -- this is notwithstanding the fact that you continued to be paid a  
2 retainer by Barkhill?
- 3 A. Yes.
- 4 Q. 182 Which had to be in connection Quarryvale, isn't that right?
- 14:57:02 5 A. Correct, yes.
- 6 Q. 183 And notwithstanding the fact that in the second column on this story it refers  
7 to Quarryvale?
- 8 A. Yes.
- 9 Q. 184 And it refers to in the third paragraph "Mr. Colm McGrath and Mr. Colm McGrath  
10 being paid 30,000 Pounds by Mr. Owen O'Callaghan" isn't that right?
- 11 A. That's correct.
- 12 Q. 185 So that this article concerns Quarryvale. Isn't that right?
- 13 A. Yes it does.
- 14 Q. 186 And it concerns certainly one financial payment that was alleged to have been  
14:57:25 15 made to Mr. Colm McGrath who was one of the local Quarryvale councillors, isn't  
16 that right?
- 17 A. That's correct, yes.
- 18 Q. 187 But the position is, if I understand you correctly, that you weren't asked to  
19 take any step or deal in any way with any of this material even though you were  
14:57:38 20 on a retainer from Barkhill?
- 21 A. Yes, no I don't believe I was ever asked by Mr. O'Callaghan to respond or make  
22 overtures or representations to either of those journalists in relation to  
23 those stories.
- 24 Q. 188 And at 13639. You issue an invoice to Riga Limited for 14,263.50 Pounds for  
14:57:59 25 legal costs, isn't that right?
- 26 A. Yes.
- 27 Q. 189 And that's some four days after the article in question, isn't that right?
- 28 A. Correct yes.
- 29 Q. 190 8th of August?
- 14:58:06 30 A. Yes.

- 14:58:06 1 Q. 191 And this is the 13th of August. And I suggest again you would have had to  
2 clear the issue of that invoice with Mr. O'Callaghan prior to being issued,  
3 isn't this right?  
4 A. Yes, it is.
- 14:58:18 5 Q. 192 And again, at 13646 on the 31st of August 1999. You issue your retainer  
6 invoice to Barkhill Limited for September 1999, isn't that right?  
7 A. That's correct.
- 8 Q. 193 And again on the 30th of September at 13660, you issue the invoice for your  
9 October retainer, isn't that right?  
10 A. Yes.
- 11 Q. 194 And on the 29th of October. At 13661. You issue the Frank Dunlop & Associates  
12 retainer for November, isn't that right?  
13 A. Correct.
- 14 Q. 195 And on the 5th of October at 13670 you have a meeting at 8 o'clock on the 5th  
14:59:15 15 of October with Mr -- sorry with Owen in The Deadman's Inn?  
16 A. Yes.
- 17 Q. 196 Is that Mr. Owen O'Callaghan?  
18 A. Yes it is.
- 19 Q. 197 Can you remember why it was that you were meeting with Mr. O'Callaghan on the  
14:59:26 20 5th of October 1999?  
21 A. Well Mr. O'Callaghan, as I recollect matters in relation to that particular  
22 meeting, I think had a meeting, was in Dublin and was having a meeting in the  
23 marketing suite at the Liffey Valley Shopping Centre and that in a telephone  
24 conversation that I had with him we agreed to meet in The Deadman's Inn.
- 14:59:47 25 Q. 198 About what Mr. Dunlop?  
26 A. I cannot specifically say what was discussed but I mean I think it is likely  
27 that ongoing issues in relation to the Tribunal were definitely raised.
- 28 Q. 199 And at any stage in any of these meetings at which yourself and Mr. O'Callaghan  
29 discussed ongoing issues in relation to the Tribunal, did Mr. O'Callaghan ever  
15:00:06 30 seek an assurance from you that you had not made an improper payment?

- 15:00:10 1 A. No he did not.
- 2 Q. 200 Now, at 13671. I want to draw to your attention there the 14th, Mr. Dunlop, of
- 3 October 1999?
- 4 A. Yeah.
- 15:00:23 5 Q. 201 And a matter that appears to be heavily overwritten in your diary?
- 6 A. Yeah.
- 7 Q. 202 For the purpose of providing any assistance you can as to the subject matter
- 8 and you will see beneath that there is an entry "3 o'clock JK"?
- 9 A. Yes.
- 15:00:36 10 Q. 203 And was that Mr. Jim Kennedy?
- 11 A. Yes, I believe it was.
- 12 Q. 204 And Mr. Kennedy and you had dealings in connection with the Paisley Park lands,
- 13 isn't that right?
- 14 A. Correct yes.
- 15:00:45 15 Q. 205 Does any of that assist you in trying to recollect what it was that you have
- 16 overwritten on the 14th of October 1999?
- 17 A. No, I don't ... it is possible that it relates something to do with Mr. Kennedy
- 18 or it's a stand alone entry of some sort or another in relation to money or a
- 19 detail, a personal detail, I can't say.
- 15:01:12 20 Q. 206 And at 13672. Which is your diary for the following week, Mr. Dunlop?
- 21 A. Uh-huh.
- 22 Q. 207 On the 18th and 19th of October 1999 you have entries that are overwritten?
- 23 A. Yeah.
- 24 Q. 208 And what you appear to have over written on the 19th of October 1999 is whoever
- 15:01:38 25 you were meeting at the halfway house, isn't that right?
- 26 A. Yes.
- 27 Q. 209 Does that assist you in recollecting what is likely to have been a person's
- 28 name?
- 29 A. Yes, could we enlarge that one.
- 15:01:43 30 Q. 210 For the 19th, please.

- 15:01:45 1 A. Yes. Yeah, I would say you are quite right. It is likely to have been a  
2 person's name. Why it is obliterated I don't know but certainly it relates to  
3 the half way house at the Phoenix Park.
- 4 Q. 211 And if you just look at the 20th Mr. Dunlop for the purposes of comparison.  
15:02:07 5 And you see at the bottom you had a meeting put in for the Hospice?  
6 A. Yeah.  
7 Q. 212 In the Fitzwilliam Place?  
8 A. Yes.  
9 Q. 213 And that has obviously been cancelled?  
15:02:16 10 A. Yes.  
11 Q. 214 And you have put a line through the two, isn't that right?  
12 A. Correct.  
13 Q. 215 And they are not obliterated?  
14 A. No.  
15:02:21 15 Q. 216 So the process that's taking place. It isn't a mere cancellation it's a  
16 deliberate overwriting to ensure that the contents of the diary can't be read?  
17 A. Yes.  
18 Q. 217 Isn't that right?  
19 A. It's a deletion, yes.  
15:02:32 20 Q. 218 It's a deletion. But you are not suggesting Mr. Dunlop that these were  
21 cancelled meetings, isn't that right?  
22 A. No, I'm not.  
23 Q. 219 No. Now, at 13675. In the 1st of November 1999 first of all you have an entry  
24 on the 2nd of November 1999, Mr. Dunlop "ring Liam CR" I think it is?  
15:02:58 25 A. Liam Creaven.  
26 Q. 220 And then you have "Grand Hotel Malahide plus two" on the 4th?  
27 A. Yes.  
28 Q. 221 And is that likely to have been a meeting with Mr. Creaven and Mr. Cosgrave?  
29 A. Yes it is, yes.  
15:03:08 30 Q. 222 And on the 5th of November 1999 you have an entry in your diary for "Matt C"?

- 15:03:15 1 A. Yes.
- 2 Q. 223 Is that likely to have been Mr. Matt Cooper?
- 3 A. Yes it is.
- 4 Q. 224 And is it possible Mr. Dunlop, well first of all can you tell the Tribunal what
- 15:03:22 5 you would have been discussing with Mr. Cooper?
- 6 A. Well it is likely that this was at the request of Mr. Cooper and that it may
- 7 have related to some story that he was writing and wanted my input.
- 8 Q. 225 Well what story was current or can you recollect what it was at that time that
- 9 you would have been discussing with Mr. Cooper?
- 15:03:40 10 A. Well the only issue that I can think of relevance in this context is that the
- 11 Quarryvale, the Tribunal's investigation into Quarryvale if that is what Matt
- 12 was looking to talk to me about.
- 13 Q. 226 Yes. Is it the position then that you accept that you had a meeting with
- 14 Mr. Cooper but you can't recollect what it was about?
- 15:03:58 15 A. Yes. It's not deleted or crossed out. I would say that if it was so arranged
- 16 with Matt Cooper that that meeting did take place, yes.
- 17 Q. 227 And at 13677. Sorry if I could just ask you about that. If you had met
- 18 Mr. Cooper and presumably you did and if the subject matter of your meeting was
- 19 the Tribunal's inquiries on an ongoing basis into Quarryvale. Would you have
- 15:04:23 20 provided information to Mr. Cooper if you could have done so without as you saw
- 21 it damaging your interests or that of Mr O'Callaghan?
- 22 A. I certainly wouldn't have provided Mr. Cooper with documentation. If
- 23 Mr. Cooper asked me a question in relation to my own personal involvement the
- 24 likelihood is that I did give him a type of answer.
- 15:04:41 25 Q. 228 And when you say "a type of answer" do you?
- 26 A. Well I certainly wasn't going to indicate to Mr. Cooper anything of the nature
- 27 of my relationship with the Tribunal in relation to detailed requirements for
- 28 bank accounts or any of my relationships with councillors or politicians in
- 29 relation to the Quarryvale project. I wasn't going to disclose that to
- 15:05:02 30 Mr. O'Callaghan -- to Mr. Cooper.

15:05:04 1 Q. 229 But would you have been anxious to give an impression to Mr. Cooper that the  
2 Tribunal's inquiries were not a matter of any concern to you and that you felt  
3 that the Tribunal was going nowhere?

4 A. Well I think I have given evidence to the effect that there was a general  
15:05:20 5 recognition at some stage. It's very difficult in retrospect to put each  
6 particular aspect on a weekly basis because it was changing almost by the day  
7 but certainly it was changing by the week in relation to the emphasis of what  
8 was taking place at the Tribunal. And I do recall for example receiving a  
9 telephone call from Mr. Matt Cooper asking me whether I could confirm or not  
10 anything I knew of a personal matter about the former Chairman.

11 Q. 230 But insofar as you could, you were able to provide information or give a steer  
12 to Mr. Matt Cooper or other journalists. That would not have been in a way  
13 that was designed to assist the Tribunal, Mr. Dunlop isn't that right?

14 A. Well I wouldn't have regarded the newspapers as being of assistance to the  
15:06:13 15 Tribunal. I mean I regarded my relationship with the media went back over 30  
16 years and ...

17 Q. 231 And you were a person they would have trusted Mr. Dunlop, isn't that right?

18 A. Well I think well trusted yes but certainly they would have depended on me and  
19 a lot of other people in the industry. If you read the Sunday newspaper on any  
15:06:31 20 given day, on any given Sunday, 90 per cent of it is made up of representatives  
21 of the PR industry who input their stories with specific journalists. So  
22 that's the reality, that's how it happens, that's the way the system works.

23 Q. 232 All right. Within that system Mr. Dunlop you were a very, very senior figure  
24 because you were one of the leading PR people in the country at that time isn't  
15:06:52 25 that right?

26 A. Yes, certainly there was about half a dozen people who were fairly prominent in  
27 the PR industry and I, if I say so modestly, I was probably one of those.

28 Q. 233 Yes. And you were also a person who had your own secrets to protect in  
29 relation to Quarryvale and other developments, isn't that right?

15:07:12 30 A. We all have secrets Ms. Dillon.

- 15:07:14 1 Q. 234 Yes he I know that Mr. Dunlop. I'm talking now in the context of the  
2 Tribunal's inquiries in relation to Quarryvale?
- 3 A. Yes.
- 4 Q. 235 You agreed on the last occasion had a lot to protect in relation to the  
15:07:24 5 Tribunal's inquiries, isn't that right?
- 6 A. I think it's time for graces Ms. Dillon. You find that more and more of our  
7 secrets including yours will become more and more evident in the public mind.  
8 That's an inevitability. It happens. These things happen. As to your  
9 question. Yes, I certainly, as I said to you five minutes ago, I wasn't going  
10 to tell Matt Cooper about my relationship with councillors in relation to the  
11 Development Plan at Dublin County Council. I wasn't going to do that.
- 12 Q. 236 No I wasn't suggesting that Mr. Dunlop but I was asking, what I was asking you  
13 was weather it's likely in your conversations with Mr. Cooper about the  
14 Tribunal?
- 15:07:59 15 A. Yeah.
- 16 Q. 237 You would have given him the impression that you didn't regard the Tribunal as  
17 a matter of any consequence for example?
- 18 A. Well, I would accede to that. I would say yes but I mean it's a two sided  
19 story. At particular stages there were certain, a certain body of journalists  
15:08:19 20 and I think Mr. Cooper was one and I would prefer to hear this from himself  
21 rather than my passing it third hand as it were or second hand, is that at a  
22 certain stage there was a level of questioning in certain circles in the media  
23 as to what was happening and where this was going and there was a certain  
24 skepticism and that skepticism I think wasn't, it wasn't skepticism on my part.  
15:08:51 25 It was skepticism on a lot of people.
- 26 Q. 238 I think at this time and I can't say absolutely in relation to this but I think  
27 throughout 1999 the Gogarty Module was being heard in public, isn't that right?
- 28 A. Yes.
- 29 Q. 239 And that evidence was being dealt with on a daily basis and was being recounted  
15:09:08 30 and covered by the journalists, isn't that right?



- 15:09:11 1 A. That's correct yes.
- 2 Q. 240 And is it against that background you say that there was a perception or a  
3 concern among certain people as to what the Tribunal was doing and where it was  
4 going?
- 15:09:20 5 A. Yes. Well there was a mixture of things. I don't want to go into a  
6 disposition. I know what you're asking me, Ms. Dillon, yes.
- 7 Q. 241 What I'm trying to get you to explain to the Tribunal would be, is that at any  
8 opportunity you got, Mr. Dunlop, to indicate directly or indirectly that the  
9 Tribunal wasn't really going anywhere, that that's the road you would have  
10 followed because to follow that road would have protected your own interests?
- 11 A. Oh, well I wouldn't have any hesitation whatsoever in saying what I said  
12 before. That I bought into the notion, along with a lot of other people, that  
13 we were, you know, we were into entertainment par excellence and people were  
14 just wondering how long it was going to last.
- 15:10:01 15 Q. 242 Yes. And in relation to that entry, Mr. Dunlop, with Mr. Cooper, can I take  
16 you back then to November the 1st at 13675 because I don't know that I have  
17 asked you about those two overwritten entries?
- 18 A. Yeah.
- 19 Q. 243 On the 1st of November 1999.
- 15:10:22 20 A. The first one. If we do them add seriatum. If we do the first one.
- 21 Q. 244 If that could be increased.
- 22 A. Yes, these obviously relate to meetings and to named people.
- 23 Q. 245 And you accept that they are overwritten Mr. Dunlop?
- 24 A. Yes I do yes.
- 15:10:47 25 Q. 246 And I can I take you across to the 3rd of November 1999. At 12:45 you have a  
26 meeting with Helen Black at AIB, 5 College Street?
- 27 A. Yes.
- 28 Q. 247 Yes. And would that have again been in connection with providing information?
- 29 A. No, no, no. Helen Black was the then new Manager at 5 College Street and I was  
15:11:11 30 just asked to go down and meet her. She was being introduced to me. She was

- 15:11:15 1 the new Manager.
- 2 Q. 248 Does that mean that Mr. Ahern had resigned or was no longer Manager there?
- 3 A. No, I think Mr. Ahern -- well I can't say specifically when Mr. Ahern resigned.
- 4 Q. 249 I don't mean to suggest -- by resign I mean retire or whatever?
- 15:11:29 5 A. Yes. I can't give a date as to when he actually retired. I ... I have a vague  
6 recollection that he was still around when Ms. Black arrived but I may not be  
7 absolutely certain about that.
- 8 Q. 250 Right. And did Ms. Black take over then the dealing with your accounts?
- 9 A. No, Mr. Gleeson did ultimately. Mr. Gleeson took over from Mr. Ahern.
- 15:11:51 10 Q. 251 And was Ms. Black then the overall Manager or the general Manager?
- 11 A. She was the overall Manager. I never had any dealings with her at all.
- 12 Q. 252 And did Mr. Ahern, was he the person who looked after your accounts until he  
13 retired?
- 14 A. Yes he was.
- 15:12:04 15 Q. 253 And I think at 13677 on the 11th of November an invoice in the sum of 19 552.18  
16 issues in connection with legal fees and again that's a matter that you would  
17 have cleared with Mr. O'Callaghan?
- 18 A. Yes it was.
- 19 Q. 254 And at 13683 on November 15th you have two matters that are overwritten on  
15:12:26 20 November 15th?
- 21 A. Yeah.
- 22 Q. 255 And do you see immediately above those there is an entry LL/AK?
- 23 A. Correct.
- 24 Q. 256 And above that there is an entry that appears to be AR?
- 15:12:37 25 A. Yes.
- 26 Q. 257 Yes. And above that there is an entry Tommy R, is that right?
- 27 A. Yes, well there is a question mark after both of them. Tommy R is not at all  
28 relevant. AR is possibly Albert Reynolds.
- 29 Q. 258 Yes?
- 15:12:51 30 A. LL/AK is Liam Lawlor/Ambrose Kelly.

- 15:12:55 1 Q. 259 Yes. Yes. Why would you have been meeting or dealing with Mr. Reynolds in  
2 November of 1999, Mr. Dunlop, can you remember?
- 3 A. I don't recollect. I thought, a thought just struck maybe it's not Albert  
4 Reynolds at all. But I don't recollect why I would be dealing with Mr. Albert  
15:13:23 5 Reynolds in 1999. I did, was Mr. Reynolds still Taoiseach in 1999, no he was  
6 not -- yes he was 6789.  
7
- 8 JUDGE FAHERTY: No I don't think he was.
- 9 A. He was gone?
- 15:13:37 10
- 11 JUDGE FAHERTY: Since 1994
- 12 A. God he was gone a long time! No, I don't recollect having a meeting with  
13 Mr. Albert Reynolds after he left office.  
14
- 15:13:49 15 MS. DILLON: Yes I don't know whether --
- 16 A. I think actually I'm mistaken that may not be the reference at all. It may be  
17 somebody else who may happen to be in the room.
- 18 Q. 260 Right. And I just want to draw to your attention you travelled to the United  
19 States on the 17th and returned on the 20th you see that from your diary?
- 15:14:06 20 A. Yes.
- 21 Q. 261 And would that have anything to do with either the meeting with Mr. Lawlor or  
22 Mr. Kelly?
- 23 A. Sorry again. When did I travel.
- 24 Q. 262 2:55 Chicago.
- 15:14:21 25 A. Yes.
- 26 Q. 263 And you returned to Chicago on the 20th?
- 27 A. Yes.
- 28 Q. 264 And you meet with Mr. Lawlor and Mr. Kelly?
- 29 A. Yes.
- 15:14:27 30 Q. 265 On the Monday.

15:14:28 1 A. Yes.

2 Q. 266 And then you have two obliterated entries beneath that?

3 A. Yes.

4 Q. 267 And what I was asking you was whether your travel to Chicago had anything to do

15:14:36 5 with Mr. Lawlor or Mr. Kelly?

6 A. No, I don't think so. I'm, I think the trip to Chicago related to a matter

7 completely separate to any involvement by Mr. Lawlor or Mr. Kelly.

8 Q. 268 Did you ever keep any banks accounts or maintain any bank accounts in America?

9 A. None.

15:15:07 10 Q. 269 Did you ever buy any property or acquire any matter in America?

11 A. No I did not.

12 Q. 270 Okay. On the following Monday at 13684. You again meet with Mr. Ambrose

13 Kelly. So you return from Chicago on the 20th?

14 A. Yes.

15:15:23 15 Q. 271 On the Saturday. And on the following Monday you have a meeting with

16 Mr. Ambrose Kelly?

17 A. Yeah.

18 Q. 272 Does that assist you?

19 A. Not particularly really it doesn't. The only reason I would be meeting Ambrose

15:15:35 20 Kelly would be something in relation to something he was acting for on behalf

21 of a client including Mr. O'Callaghan. But no I don't recollect.

22

23 JUDGE FAHERTY: Mr. Dunlop, just can I just clarify something with you

24 A. Sorry.

15:15:52 25

26 JUDGE FAHERTY: Sorry may I clarify something with you just for the sake of

27 completeness. In response to Ms. Dillon you said that your trip to Chicago was

28 a matter separate to the late Mr. Lawlor and Mr. Kelly

29 A. Yes.

15:16:06 30

15:16:06 1 JUDGE FAHERTY: Obviously --

2 A. It wasn't to meet the mafia if you think ...

3

4 JUDGE FAHERTY: No, indeed no.

15:16:10 5 A. Or the Godfather either for that case. I wasn't visiting --

6

7 JUDGE FAHERTY: Just the focus of my question was slightly different. In the

8 manner which you phrased your response

9 A. Yes.

15:16:20 10

11 JUDGE FAHERTY: Mr. Dunlop, it was obviously the trip was in relation to some

12 matter?

13 A. Yes it was.

14

15:16:26 15 JUDGE FAHERTY: And I just want to ask you was it in relation to a matter

16 with -- any aspect of any matter with which the Tribunal is concerned?

17 A. No, I don't believe so. I'm just trying to absolutely be as definitive as I

18 possibly can in relation to it. I was in Chicago, I've been in Chicago many

19 times. But I was in Chicago on a number of occasions and it was either in

15:16:54 20 relation to a Fianna Fail fundraising function, which I'm not absolutely

21 certain about that. Or it related to another project that I was dealing with

22 which is not with, remotely within the remit of this Tribunal. But I cannot

23 absolutely say for definite what it was.

24

15:17:18 25 CHAIRMAN: Could I ask Ms. Dillon, are we going on until five or four?

26

27 MS. DILLON: Five o'clock I understand.

28

29 CHAIRMAN: Okay. Could we break for a second?

15:17:27 30

15:17:27 1 CHAIRMAN: Absolutely. We'll take a ten minute break

2 A. Thanks.

3 **THE TRIBUNAL THEN ADJOURNED FOR A SHORT BREAK**

4 **AND RESUMED AS FOLLOWS:**

15:17:34 5

6

7 A. Thanks, Chairman.

8

9 MS. DILLON: At 13685, Mr. Dunlop, there is an entry in your diary for the 3rd

15:33:55 10 of December

11 A. Yes.

12 Q. 273 For a function in the Royal Hospital, table for eight?

13 A. Yeah.

14 Q. 274 And it would appear that that's crossed out?

15:34:03 15 A. Yes it is.

16 Q. 275 Now it's not obliterated?

17 A. No.

18 Q. 276 Does that mean that you didn't attend that fundraising function?

19 A. I don't think I did, not in 1999, no.

15:34:13 20 Q. 277 Right. But was it your normal practice to attend that particular function?

21 A. Well I can't say that it is normal practice. I attended quite a number of

22 them.

23 Q. 278 Yes?

24 A. Probably in the order of half a dozen, certainly four, but yes I did attend.

15:34:32 25 Q. 279 Yes. And it would appear that you certainly had initially agreed to take a

26 table for eight. Would that have been at the request of Mr. Richardson?

27 A. Yes or I am, I may well have been contacted by the person who was organising

28 the function.

29 Q. 280 And who would that have been?

15:34:50 30 A. Joe Burke.

- 15:34:51 1 Q. 281 All right. Or indeed Mr. Tim Collins, was he also involved in that?
- 2 A. Certainly I've seen Mr. Collins at the functions, yes.
- 3 Q. 282 Yes?
- 4 A. I don't recollect ever Mr. Collins being in a capacity of organising a function
- 15:35:06 5 but certainly I have seen him there, yes.
- 6 Q. 283 But who would normally have asked you. Was it Mr. Burke who would normally
- 7 have requested you to attend?
- 8 A. Either, either you would get a letter notifying you that it was taking place or
- 9 it would be verbally conveyed to me by Mr. Richardson, one or the other.
- 15:35:24 10 Q. 284 And on this particular year 1999, it would appear from the entry which reads
- 11 "Bertie's function at Royal Hospital, table for eight, that you initially
- 12 agreed to take a table for eight?
- 13 A. Yes.
- 14 Q. 285 And is it likely that the table proceeded but you didn't attend?
- 15:35:40 15 A. I don't think I took the table. I think the matter was cancelled. I think, I
- 16 certainly didn't attend as far as I recollect and I think I just decided not to
- 17 go.
- 18 Q. 286 And was that, was there any particular reason for that, Mr. Dunlop?
- 19 A. I think, I think it was a consciousness on my part. I can't specifically say
- 15:36:10 20 this was a reason. Probably would be better if I didn't appear.
- 21 Q. 287 And was that because it was public knowledge that you were the subject matter
- 22 of ongoing inquiries from the Tribunal?
- 23 A. Yes.
- 24 Q. 288 Now I think at again at 13687 on the 30th of November you issued the December
- 15:36:25 25 retainer invoice to Mr. Lucey?
- 26 A. Correct, yes.
- 27 Q. 289 All right. And I think on the 15th of December 1999 the Tribunal wrote to you
- 28 and asked you to provide a narrative statement about Quarryvale and about in
- 29 particular any payments and the source of funds used to make payments and
- 15:36:44 30 matters such as that sort?

- 15:36:46 1 A. Yes.
- 2 Q. 290 Right. Now I think that in fact ultimately you wrote to the Tribunal I think  
3 at 25465 on the 2nd of February through your solicitors and you informed the  
4 Tribunal that on the advice of counsel the client's which were Frank Dunlop,  
15:37:15 5 Frank Dunlop & Associates Limited and Shefran Limited were not willing to  
6 provide a narrative statement and they feel bound to accept that advice, isn't  
7 that right?
- 8 A. Yes.
- 9 Q. 291 Now there was no obligation upon you to provide a narrative statement, isn't  
15:37:19 10 that right?
- 11 A. That's correct.
- 12 Q. 292 But the procedure of the Tribunal was to request people to provide narrative  
13 statements and circulate those to interested parties but I think subsequent to  
14 that refusal you were informed of the fact that it would now be necessary to  
15:37:32 15 take your evidence in public arising from that refusal, isn't that right?
- 16 A. Correct.
- 17 Q. 293 I think in January at 13707. Another invoice for legal costs issued, isn't  
18 that right?
- 19 A. Yes.
- 15:37:46 20 Q. 294 And again the position would have been there that that would have been cleared  
21 with Mr. O'Callaghan in advance of you issuing the invoice, isn't that right?
- 22 A. Correct.
- 23 Q. 295 And I think in January at 13705. There's just two matters I want to ask you  
24 about here Mr. Dunlop. The first is on the 13th of January 2000. There is an  
15:38:08 25 entry at 10 o'clock "OOC" which I assume is Mr. O'Callaghan?
- 26 A. Yes.
- 27 Q. 296 And FD?
- 28 A. Yes.
- 29 Q. 297 And "D Red" is what it looks like at Frank Dunlop & Associates?
- 15:38:20 30 A. Yes, could you enlarge that slightly for me Ms. Dillon.



- 15:38:24 1 Q. 298 Yes.
- 2 A. Yes.
- 3 Q. 299 Sorry. Just on the 13th of January if it can be increased, please.
- 4 A. I presume you want to know who the DR is or D Red. Offhand I can't,
- 15:38:52 5 offhand I can't say who that is.
- 6 Q. 300 There are two suggestions I can make to you Mr. Dunlop?
- 7 A. Yes.
- 8 Q. 301 To assist you?
- 9 A. Yes.
- 15:38:58 10 Q. 302 One is it's possibly Mr. Des Richardson but in addition there was a Mr. D
- 11 Roycart who acted for Grosvenor Holdings and was involved in Grosvenor Holdings
- 12 which had a somewhat Dutch spelling to his name I think. And I was wondering
- 13 whether that would assist you?
- 14 A. Well if I come at it this way. I don't recollect ever having a meeting in my
- 15:39:21 15 office with Owen O'Callaghan and Des Richardson. In fact no such meeting ever
- 16 occurred. Yes you are quite right, there was a meeting with me and Mr.
- 17 O'Callaghan, with Mr. O'Callaghan and myself and some representative of
- 18 Grosvenor Estates I think was the name of the company.
- 19 Q. 303 Yes?
- 15:39:37 20 A. His name escapes me. I cannot absolutely say that it is him but I do recollect
- 21 Mr. O'Callaghan bringing such a gentleman to meet me and I also recollect him
- 22 making a request of me to have a briefing from somebody from the Taoiseach's
- 23 office in relation to the ongoing peace process, ongoing situation in Northern
- 24 Ireland which I organised for him.
- 15:40:06 25 Q. 304 And this would have been through the then Taoiseach's office, is that correct?
- 26 A. No, was it the then Taoiseach's office? Yes, it probably was, yes. And it was
- 27 with an advisor in the Department of the Taoiseach who has subsequently become
- 28 a TD.
- 29 Q. 305 Right. And on the 14th, Mr. Dunlop, of January 2000?
- 15:40:27 30 A. For completeness, Ms. Dillon. I just say I cannot absolutely say that that is

- 15:40:32 1 the occasion on which that meeting took place with a representative of the  
2 Taoiseach's office or that request was made. But I certainly do recollect  
3 organising a meeting for a representative of Grosvenor Estates with a  
4 representative of the Taoiseach's office.
- 15:40:45 5 Q. 306 And that person from Grosvenor Estates, it was in connection with the peace  
6 process, is that right?  
7 A. It was in connection with the ongoing scenario in relation to what was  
8 happening in Northern Ireland.
- 9 Q. 307 Okay. And if you look at the 14th Mr. Dunlop. And there is an entry at 5  
10 o'clock. Can you just tell the Tribunal what that entry is?  
11 A. 5 o'clock. JR or JK, it's hardly JR. JK in Temple Bar Hotel. That could well  
12 be Jim Kennedy in the Temple Bar Hotel.
- 13 Q. 308 Right. And?  
14 A. In fact I think that is absolutely the case. It is JK in Temple Bar Hotel.
- 15:41:29 15 Q. 309 Right. And that's to do with a separate module, isn't that right?  
16 A. Yes and there is a question mark. I do recollect meeting Mr. Kennedy in the  
17 Temple Bar Hotel whether it actually went ahead on that particular day or not  
18 there is a question mark, I cannot say.
- 19 Q. 310 At 13713. You have an entry in your diary for the 27th of January 2000, isn't  
15:41:54 20 that right?  
21 A. Yes.
- 22 Q. 311 And it reads as follows, "spoke to John Hanafee, AIB, College Street re Flood  
23 contact with bank! !" ?  
24 A. Yes.
- 15:42:07 25 Q. 312 Okay. Can you explain that entry to the Tribunal?  
26 A. Yes it came to my knowledge, I can't recollect how, but it certainly came to my  
27 knowledge that while we were discussing discovery with the bank in relation to  
28 documentation that the bank had already discovered documentation to the  
29 Tribunal and I think outside of the period in which they were requested. And I  
15:42:37 30 either spoke directly to, I can't recollect this man's name whether it's John

- 15:42:43 1 Hanafee or Hanaby or whatever, but I certainly spoke to somebody in trenchant  
2 terms.
- 3 Q. 313 All right. You would have known from October of 1999, Mr. Dunlop, because you  
4 were a notice party to the Tribunal's correspondence with the bank that the  
15:42:57 5 Tribunal proposed making orders for discovery against Allied Irish Bank in  
6 relation to your bank accounts, isn't that right?
- 7 A. That's correct, yes.
- 8 Q. 314 And Shefran's bank accounts, isn't that right?
- 9 A. Yes.
- 15:43:07 10 Q. 315 And so there was a two-way simultaneous process going on, isn't that right?
- 11 A. Yes.
- 12 Q. 316 The Tribunal made orders against you for you to disclose to the Tribunal your  
13 banking documentation, isn't that right?
- 14 A. Correct.
- 15:43:20 15 Q. 317 And you had purported to comply with that on the 7th of July 1999, isn't that  
16 right?
- 17 A. Yes.
- 18 Q. 318 Separately and independently of that, the Tribunal had made orders against your  
19 bank for your bank to provide to the Tribunal its documents in relation to your  
15:43:35 20 bank accounts, isn't that right?
- 21 A. Correct within a certain period.
- 22 Q. 319 Yes. Now, as between the nature of the documentation that was discovered, if  
23 say one was taking one 12 month period and let us say for the sake of argument  
24 that the period is 1991. And if an order had been made against AIB in respect  
15:43:53 25 of your bank accounts for 1991, and an order made against you in respect of  
26 your bank accounts for 1991, they should have been a replica of each other,  
27 isn't that right?
- 28 A. Yes.
- 29 Q. 320 All right. Now, did you become aware at this stage of any information that had  
15:44:08 30 been provided to the Tribunal that you hadn't provided?

15:44:11 1 A. Yes I, at some stage I became aware that the bank had provided documentation to  
2 the Tribunal exceeding the time period for which they were requested for  
3 information.

4 Q. 321 Yes?

15:44:25 5 A. I cannot say how I came by this knowledge, whether I ... I don't want to  
6 involve my solicitors in this or my legal counsel in this. I cannot say when  
7 but I certainly became aware, whether it was through John Ahern in the bank  
8 himself or otherwise, but I became aware that the bank in relation to its  
9 request for information from the Tribunal had to all intents and purposes  
10 exceeded the remit.

11 Q. 322 Exceeded you say what it had been asked to provide?

12 A. As I recollect matters yes.

13 Q. 323 But the AIB Rathfarnham account Mr. Dunlop would have been caught by the terms  
14 of the first order, isn't that right?

15:45:08 15 A. Yes, yes.

16 Q. 324 You hadn't disclosed the existence of the AIB Rathfarnham account, isn't that  
17 right?

18 A. Correct.

19 Q. 325 Although it was something you should have disclosed, isn't that right?

15:45:18 20 A. Yes.

21 Q. 326 Did you become aware in the course of your conversations with Allied Irish Bank  
22 on or around the 27th of January 2000 that the bank had disclosed to the  
23 Tribunal the existence of the AIB Rathfarnham account?

24 A. At some stage I did become aware. I cannot say specifically when I became  
15:45:35 25 aware that the bank had discovered that. And as I say, I cannot say who told  
26 me whether it was John Ahern in the bank or some other person. But certainly  
27 at some stage, whether it was at this stage or not, I became aware that the  
28 bank had made discovery of documentation to the Tribunal that I hadn't.

29 Q. 327 All right. And did you cause your solicitors to write to the Tribunal on the  
15:46:02 30 11th of February 2000 at 25466. And you will see in this letter which deals

- 15:46:10 1 primarily with the issue of discovery?
- 2 A. Yeah.
- 3 Q. 328 Right. And I want to draw to your attention what is set out on the next page  
4 at 25467. And at the bottom of that page it says "it has recently come to our  
15:46:24 5 client's attention that they" and they refer to Frank Dunlop, Frank Dunlop &  
6 Associates and Shefran "inadvertently admitted to make discovery in respect of  
7 the following bank accounts", isn't that right?
- 8 A. Yes.
- 9 Q. 329 And the first bank account was a home loan account in the name of Frank and  
15:46:41 10 Sheila Dunlop, account number 15995-188, isn't that right?
- 11 A. Correct, yes.
- 12 Q. 330 Now, that account was an account held at Allied Irish Bank, isn't that right?
- 13 A. Yes it was, yes.
- 14 Q. 331 The second account that's being disclosed is a home loan account in the name of  
15:46:56 15 Frank and Sheila Dunlop, account number 15995261. That also was held at Allied  
16 Irish Bank, isn't that right?
- 17 A. That's correct.
- 18 Q. 332 Onto the next page please. The next account was term loan account in the name  
19 of Frank J Dunlop, account number 1158316, and that was also held at Allied  
15:47:24 20 Irish Bank, isn't that correct?
- 21 A. Correct.
- 22 Q. 333 D, current account in the name of Frank and Sheila Dunlop, account number  
23 03375042?
- 24 A. Yes.
- 15:47:25 25 Q. 334 And that is also held at Allied Irish Bank, isn't that right?
- 26 A. That's correct.
- 27 Q. 335 And that was the war chest account held, known as the Rathfarnham account, held  
28 at Allied Irish Bank in Terenure, isn't that right?
- 29 A. Correct.
- 15:47:37 30 Q. 336 E, bridging loan account in the name of Frank and Sheila Dunlop, account number

15:47:41 1 12909352?

2 A. Yes.

3 Q. 337 And that was held at AIB, isn't that right?

4 A. That's correct.

15:47:46 5 Q. 338 F, number two loan account in the name of Frank Dunlop, account number  
6 11158662, and that was held at AIB, isn't that right?

7 A. Correct.

8 Q. 339 Now, all of those accounts that are being disclosed to the Tribunal for the  
9 first time on the 11th of July 2000 arise subsequent to your conversation with  
10 somebody, a Mr. John Hanafee in Allied Irish Bank about what they have  
11 discovered to the Tribunal, isn't that right?

12 A. Certainly. At some stage after I became aware that the bank had made  
13 discovery.

14 Q. 340 So what you discover or what you tell your solicitors has been omitted and what  
15 you advise your solicitors should now be disclosed to the Tribunal are all of  
16 the other Allied Irish Bank accounts that Allied Irish Bank have told you they  
17 are disclosing to the Tribunal, isn't that right?

18 A. Correct.

19 Q. 341 Right. So all of those accounts, those six accounts that are now being  
20 disclosed, are all Allied Irish Bank only accounts, isn't that right?

15:48:38 21 A. Yes.

22 Q. 342 Yes?

23 A. Yes, all of them, yes.

24 Q. 343 So now in your second closure to the Tribunal you are making this disclosure I  
25 suggest to you Mr. Dunlop only in relation to Allied Irish Bank and only  
26 because you have been told by Allied Irish Bank that the bank are giving up  
27 this information to the Tribunal, isn't that right?

28 A. Well yes. As I said at the outset, I became aware at some stage at a date  
29 unknown or at a specific date unknown that I, that the bank had made discovery  
15:49:12 30 of documentation that I had not made discovery of.

- 15:49:15 1 Q. 344 And within the accounts that the bank had made discovery of, that you haven't  
2 made discovery of is the account record No. 03375042. The AIB Rathfarnham war  
3 chest account, isn't that right?
- 4 A. Correct.
- 15:49:30 5 Q. 345 And you know now that the Tribunal will have in its possession that bank  
6 account and that they are probably going to want to know why it is that --  
7 where the source of the lodgements to that account, isn't that right?
- 8 A. Yes.
- 9 Q. 346 And in fact that is what became the subject matter of the public hearings  
10 within a short space of time, isn't that right?
- 11 A. Correct.
- 12 Q. 347 But what you now inform the Tribunal of and what is described as an inadvertent  
13 omission on your part, was the existence of the, of this particular war chest  
14 account and with it four or five other accounts in AIB, isn't that right?
- 15:50:03 15 A. Correct.
- 16 Q. 348 Do you disclose to the Tribunal at this stage the existence of the Irish  
17 Nationwide Building Society account?
- 18 A. No, I don't believe I do.
- 19 Q. 349 And that was current and was covered by the first order that was made, isn't  
15:50:13 20 that right?
- 21 A. Yes.
- 22 Q. 350 Do you disclose the existence of the Bank of Ireland account held in the name  
23 of Shefran at Westland Row?
- 24 A. No.
- 15:50:20 25 Q. 351 Or do you disclose the existence of the account held at Midland Bank in the  
26 name of Xerxes?
- 27 A. No.
- 28 Q. 352 All right. So that what you are doing here I suggest to you Mr. Dunlop is  
29 somewhat of a pre-emptive strike in that you know before you send, you get your  
15:50:34 30 solicitors to send this letter that the Tribunal are either in possession of

- 15:50:37 1 or will shortly be in possession of this information from the bank, isn't that  
2 right?
- 3 A. In the knowledge that I have that the bank has made disclosure of these  
4 documents I so disclose.
- 15:50:47 5 Q. 353 You then disclose them but you don't take the next step or the additional step  
6 of extending the additional discovery that you are making to include the other  
7 bank accounts that you have, I suggest, deliberately withheld from the  
8 Tribunal?
- 9 A. I have not disclosed them, no.
- 15:51:00 10 Q. 354 So what is happening here is this -- while the letter may have been drafted in  
11 such a way as to appear to be in compliance with orders made, what in fact is  
12 happening here is a disclosure that you feel compelled to make because you know  
13 the Tribunal is getting the information anyway, isn't that right?
- 14 A. Yes, in the circumstances that I have outlined to you, I became aware that  
15 these documents, this documentation had been supplied.
- 15:51:19 16 Q. 355 And you knew also did you not Mr. Dunlop that because you hadn't disclosed the  
17 existence of the INBS and the Bank of Ireland account in the name of Shefran  
18 and because you knew you hadn't received any notice letter from the Tribunal  
19 saying they were considering making orders against Bank of Ireland or INBS you  
20 are relatively safe in not disclosing them, isn't that right?
- 15:51:40 21 A. Well I can't say specifically in those terms but certainly I was not aware that  
22 INBS or anybody else had been sought -- documentation had been sought from them  
23 and that it had been submitted.
- 24 Q. 356 You knew and you were advised, I am sure, Mr. Dunlop, that before the Tribunal  
15:52:00 25 could make an order against a bank in connection with your bank accounts, it  
26 had to be on notice to you, isn't that right?
- 27 A. Yes.
- 28 Q. 357 And you knew that from October where you had seen you had been given a copy of  
29 the notice letters that were going to be sent to Allied Irish Bank, isn't that  
15:52:14 30 right?



- 15:52:14 1 A. Correct.
- 2 Q. 358 Now, you knew therefore that if the Tribunal was going to make an order for  
3 example against the Irish Nationwide Building Society or Bank of Ireland it  
4 would have been on notice to you, isn't that right?
- 15:52:24 5 A. Yes.
- 6 Q. 359 So you knew up to this point in time in any event no such letter had been  
7 received by you, isn't that right?
- 8 A. Correct.
- 9 Q. 360 So you knew that up to this point the Tribunal wasn't making an order against  
10 the INBS or Bank of Ireland, isn't that right?
- 11 A. Yes, as in retrospect, yes, as I recollect matters, yes.
- 12 Q. 361 So the only reason, Mr. Dunlop, that you make this disclosure through your  
13 solicitors on the 11th of February 2000 is because you've been told by the bank  
14 they have made that disclosure anyway, isn't that right?
- 15:52:56 15 A. I have been told by the bank or it's come to my knowledge, from whom I cannot  
16 say, that the bank has made such discovery.
- 17 Q. 362 Yes because your own note of the record of your conversation with Mr. Hanafee  
18 at 13713?
- 19 A. Yes.
- 15:53:10 20 Q. 363 Says "spoke to John Hanafee, AIB, 5 College Street re Flood contact with bank?"
- 21 A. Yes.
- 22 Q. 364 Yes. And in fact I think what you were informed of was the fact that Members  
23 of the Tribunal legal team had gone to inspect documents in the bank in  
24 December, isn't that right?
- 15:53:28 25 A. Correct. Right, two representatives of the Tribunal. At least two  
26 representatives of the Tribunal at Senior Counsel level had visited the bank,  
27 not College Street but an office of the bank in College Green at some stage,  
28 somewhere and had inspected documentation or sought inspection of  
29 documentation.
- 15:53:51 30 Q. 365 Yes. And had I think sought an explanation for certain transactions or bank

- 15:53:58 1 entries in relation to certain transactions, isn't that right?
- 2 A. Well yes I mean subsequently I became aware of what the actual content of that
- 3 meeting was I think through the Tribunal. But I became aware of this
- 4 subsequently. But certainly at the time of my telephone call to Mr. Hanafee on
- 15:54:14 5 the 27th of January 2000 it was in relation to what had occurred vis-a-vis the
- 6 request for information from the Tribunal.
- 7 Q. 366 Yes. But the whole point about this is that it is only at this point in time
- 8 that you make the disclosure about the AIB Rathfarnham account and you do so
- 9 only because you know before you have this letter sent to the Tribunal that the
- 15:54:37 10 Tribunal have the information already, isn't that right?
- 11 A. Because the bank has given it to them, yes.
- 12 Q. 367 And you had been on notice of the fact from the very beginning, isn't that
- 13 right Mr. Dunlop?
- 14 A. Yes.
- 15:54:46 15 Q. 368 Yes. That the Tribunal was considering making orders as it did indeed make
- 16 against the bank in respect of your material, isn't that right?
- 17 A. Correct.
- 18 Q. 369 And I think you were informed at 25471. That in view of your decision not to
- 19 provide a voluntary narrative statement that you would be required to give
- 15:55:07 20 evidence in public on the 12th of April 2000?
- 21 A. Yes.
- 22 Q. 370 And I think that was subsequently moved I think to the 11th of April 2000 to
- 23 facilitate you, I believe, isn't that right?
- 24 A. Yes.
- 15:55:17 25 Q. 371 And I think if we go back to the events in January at 13714, in February sorry.
- 26 I just want to draw to your attention that on the 2nd of February you again
- 27 meet with Mr. Des Richardson in this time in the Berkley Court?
- 28 A. Yes.
- 29 Q. 372 And again may the Tribunal take it that you would have had a full discussion
- 15:55:39 30 with Mr. Richardson that it may have come up in the course of your discussion

- 15:55:43 1 with Mr. Richardson about the Tribunal's inquiries?
- 2 A. Yes not a full discussion. Certainly I would not discount the possibility or
- 3 the probability more than likely that the Tribunal in some manifestation was
- 4 discussed.
- 15:55:57 5 Q. 373 And indeed in that week you're attending with your solicitors on both the 31st
- 6 of January and on the 1st of February, isn't that right?
- 7 A. That's correct.
- 8 Q. 374 And that would have been in view of the correspondence or in view of the
- 9 information from Allied Irish Bank, isn't that right?
- 15:56:16 10 A. Yes.
- 11 Q. 375 And can I just ask you about the entry on the 3rd there Mr. Dunlop. For the
- 12 purpose of identification you have an entry "Liam".
- 13 A. Sorry.
- 14 Q. 376 On the 3rd at 13714. On the 3rd of February?
- 15:56:39 15 A. Yes. Liam Creaven, yes. Liam Creaven more than likely, yes. Sorry. Yes.
- 16 It's possibly Liam Creaven or Liam Cosgrave. I'm not quite absolutely certain
- 17 there. It's Liam C, either Creaven or Cosgrave.
- 18 Q. 377 Yes.
- 19 A. I think we have, we visited this one before did we Ms. Dillon in another
- 15:57:03 20 Module.
- 21 Q. 378 I don't believe so Mr. Dunlop?
- 22 A. Sorry.
- 23 Q. 379 I will have that checked and I'll let you know?
- 24 A. It's either Liam Creaven or Liam Cosgrave or it's not Liam Lawlor anyway.
- 15:57:16 25 Q. 380 On the 31st of January at 13715. You issue the usual retainer which is still
- 26 to Barkhill Limited. And on the 1st February at 13719. You issue an invoice
- 27 in the sum of 45,635.15 for legal fees to Riga. And then there is a reference
- 28 that 25,000 pounds was paid on account on the 6th of April and the balance was
- 29 paid on the 11th of May?
- 15:57:43 30 A. Yes that's not -- that's an internal Riga note, it's not my handwriting.

- 15:57:50 1 Q. 381 Yes. And in February on the 7th of February at 13729. You have a meeting Mr.  
2 Dunlop at 4 o'clock with Colm McGrath, Brady's of Castleknock?
- 3 A. Yes.
- 4 Q. 382 What was that meeting about?
- 15:58:07 5 A. That was Colm McGrath telling me that he had been informed by a source of his  
6 in the guards that I was being followed.
- 7 Q. 383 That you were being followed by the Gardai, Mr. Dunlop or you would have been  
8 followed in general?
- 9 A. I was just being followed or tailed or whatever you know, detective fiction TV  
10 you happen to be looking at at any given moment. I mean, it was a ridiculous  
11 conversation if I may say so but that was the thrust of it.
- 12 Q. 384 Yes?
- 13 A. That it was Mr. McGrath telling me that I was being followed, every move I  
14 made.
- 15:58:52 15 Q. 385 Did you have any discussion with Mr. McGrath when you met him on the 9th of  
16 February 2000 about whether or not the Tribunal had been in contact with him?
- 17 A. Yes, that is distinctly possible, yes.
- 18 Q. 386 Do you remember such conversation Mr. Dunlop?
- 19 A. No, no, I don't. I don't know when the Tribunal first made contact with  
15:59:09 20 Mr. McGrath.
- 21 Q. 387 Did you discuss with him that the Tribunal had been in contact with you?
- 22 A. The probability is yes.
- 23 Q. 388 Right. And would you have indicated to Mr. McGrath that the Tribunal was  
24 seeking discovery from you, quite extensive discovery?
- 15:59:23 25 A. I think probably, yes.
- 26 Q. 389 And indeed by this stage you would have known of the fact that the Tribunal  
27 knew of the existence of the Rathfarnham Road Allied Irish Bank account and  
28 that there was going to be disclosure in relation to that?
- 29 A. Yes indeed.
- 15:59:36 30 Q. 390 And you would have known that on the 9th of February because on the 11th of

- 15:59:40 1 February I think, yes the 11th of February, is the date that your solicitors  
2 write making disclosure, isn't that right?
- 3 A. Yes.
- 4 Q. 391 Did you have any discussion with Mr. Colm McGrath on this occasion in respect  
15:59:52 5 of any payments that you had made to Mr. McGrath over the years?
- 6 A. No. Sorry. I shouldn't say no. I said I can't recollect whether I did on  
7 this particular occasion but there was an ongoing understanding beginning at an  
8 indeterminate date that any contributions that were made to politicians or  
9 councillors were made, were political contributions regardless of their format.  
16:00:19 10 They were all political contributions.
- 11 Q. 392 And was Mr. McGrath one of the councillors with whom you agreed that you would  
12 characterise any payments that you had made to him as political contributions  
13 only when you were providing information to the Tribunal?
- 14 A. I can't specifically say. Certainly there was a number of councillors in which  
16:00:36 15 such an agreement did take place. I can't say specifically that Mr. McGrath  
16 was one of them. I do recollect having such a conversation with a wide number  
17 of councillors.
- 18 Q. 393 All right. And I will deal with that issue separately?
- 19 A. Uh-huh.
- 16:00:49 20 Q. 394 Mr. Dunlop. At 13730. On the 17th of February 2000 you have an entry 8:30  
21 Colm A, which I assume is Mr. Colm Allen, is that correct?
- 22 A. Yes.
- 23 Q. 395 And "ANO Davenport"?
- 24 A. Wild horses wouldn't get me to tell you who that was.
- 16:01:13 25 Q. 396 Well I think this is a matter that's covered by legal advice Mr. Dunlop?
- 26 A. No, it's not.
- 27 Q. 397 Perhaps you would simply for the benefit of the members write down whoever the  
28 person is?
- 29 A. Well, no. Hold on now. Just let me think for a moment. Just let me think.
- 16:01:31 30 Q. 398 Yes.

16:01:32 1 A. First of all let me say this has absolutely nothing whatsoever to do with the  
2 remit of this Tribunal. And secondly, and I know this may cause you, Chairman,  
3 and other members of the bench some discomfort, but this was a gentleman  
4 seeking appointment to the High Court which he subsequently was.

16:02:04 5 Q. 399 Fine. Can I ask you about the next --

6  
7 CHAIRMAN: Sorry. We can deal with it tomorrow. You can talk to your  
8 solicitor overnight or your counsel and we can see tomorrow whether it's  
9 necessary to follow it up

16:02:18 10 Q. 400 Yes. Do you see the next entry Mr. Dunlop, which is David Harvey?

11 A. Yes.

12 Q. 401 And ANO?

13 A. Yes.

14 Q. 402 Is that the same ANO?

16:02:30 15 A. No.

16 Q. 403 That's a separate?

17 A. That's a separate issue all together.

18 Q. 404 And if you see beneath that at 3 o'clock there is an entry Des R and CA?

19 A. Yes.

16:02:40 20 Q. 405 Was that a meeting between Mr. Colm Allen?

21 A. No, no. Certainly Des R. The CA, the CA doesn't jump at me immediately but I  
22 do not recollect ever having a meeting with Des Richardson and Colm Allen  
23 together.

24 Q. 406 Together. And then the CA must be somebody other than Mr. Colm Allen, is that  
16:03:00 25 right?

26 A. Yes, it is more than likely somebody Mr. Richardson was introducing to me. It  
27 just escapes me I just don't know who that is at the minute.

28 Q. 407 But you are satisfied that it's nothing to do with Mr. Colm Allen and it's not  
29 in fact Mr. Colm Allen?

16:03:15 30 A. Absolutely not.

- 16:03:16 1 Q. 408 I think at 13745. You issue your -- in February your retainer for March again  
2 to Barkhill isn't that the position and on the 15th of March at 13749 you issue  
3 an invoice for legal costs to Riga Limited, isn't that right?  
4 A. Correct yes.
- 16:03:33 5 Q. 409 And at 13757 on the 31st of March you issue the April retainer to Barkhill,  
6 isn't that the position?  
7 A. Correct.
- 8 Q. 410 And I think on the following week at 13758 you have a number of meetings.  
9 First of all you are preparing information for materials for the Revenue  
16:04:00 10 Commissioners for the 3rd of April do you see that entry?  
11 A. Yes.
- 12 Q. 411 And I think then that you were also preparing for your first appearance before  
13 the Tribunal at 13759?  
14 A. Yes.
- 16:04:14 15 Q. 412 Right. And you have an asterisk Mr. Dunlop, April 2000, on the 10th of April D  
16 day for material for Flood?  
17 A. Yes.
- 18 Q. 413 You see that?  
19 A. Yes.
- 16:04:25 20 Q. 414 What does that mean?  
21 A. Well it obviously my solicitors were looking for information or that was the  
22 day on which some matters were to be submitted to the Flood Tribunal. Other  
23 than that, I cannot say what it was.
- 24 Q. 415 All right?  
16:04:41 25 A. Other than that it relates to material that we've been asked for or that we're  
26 preparing or that we're about to submit, one or the other.
- 27 Q. 416 Yes. On the 11th of April 2000 you gave evidence for the first time, isn't  
28 that right?  
29 A. Correct.
- 16:04:56 30 Q. 417 Right. And I think that on the 12th, 13th and 14th you were something in

- 16:05:04 1 United States, isn't that right?
- 2 A. Yes.
- 3 Q. 418 I think that that originally had been listed for the previous week is that
- 4 right?
- 16:05:10 5 A. Yes.
- 6 Q. 419 And the visit is now taking place on the 12th, 13th and 14th what was that
- 7 visit to America in connection with Mr. Dunlop?
- 8 A. Again as per the question asked me by Judge Faherty, it was either a
- 9 fundraising function for Fianna Fail in New York or I had a client that was
- 16:05:31 10 interested in being introduced to American clients who were being interested in
- 11 being introduced to the then Taoiseach.
- 12 Q. 420 When you say fundraising function in America, were you asked by Fianna Fail to
- 13 do fundraising in America?
- 14 A. Oh, no I never did fundraising for Fianna Fail.
- 16:05:51 15 Q. 421 Okay?
- 16 A. I attended -- if Fianna Fail or whatever. I think they were called the friends
- 17 of Fianna Fail, that seems a bit of an oxymoron, friends of Fianna Fail. I
- 18 mean friends of Fianna Fail organised functions in London and New York from
- 19 time to time and various people were invited to attend or make a contribution
- 20 or whatever.
- 16:06:11 21 Q. 422 And do you believe that either this function or the earlier one which was in
- 22 Chicago were, could possibly have been a Fianna Fail function that you were
- 23 invited to attend, is that right?
- 24 A. Yes, I certainly recall attending a Fianna Fail organised function, friends of
- 16:06:26 25 Fianna Fail function in New York.
- 26 Q. 423 Yes?
- 27 A. In the ... oh, what's the name of that big hotel. The famous one? But I
- 28 cannot specifically say that the Chicago trip was related to Fianna Fail. It's
- 29 possible it was. I don't recollect it.
- 16:06:44 30 Q. 424 Yes. Were you expected as a result of being invited to this function to make a



- 16:06:51 1 donation to Fianna Fail?
- 2 A. No.
- 3 Q. 425 Was that the purpose in asking you?
- 4 A. No, I think certainly as far as I was concerned I had a client at that time
- 16:07:00 5 who, American clients at that time who had been in Dublin and who had attended
- 6 a fundraising function. Sorry. Had attended a function at which Bertie Ahern
- 7 as Minister for Finance had spoken, it was organised by the Dublin Chamber of
- 8 Commerce. I recommended to them that I attend. And we had a social
- 9 introduction to the then Minister for Finance. I also advised these American
- 16:07:25 10 clients that they should attend this function in New York at which they could
- 11 make their pitch in relation to their proposal.
- 12 Q. 426 And did you advise these American clients that they should make a donation at
- 13 this function?
- 14 A. No, and they did not.
- 16:07:39 15 Q. 427 Your purpose therefore was to get them to the function, is that right?
- 16 A. Get them to the function and make the introductions.
- 17 Q. 428 And but the purpose of the function was fundraising as I understand it?
- 18 A. Yes and somebody would have had to pay for the table or the tickets or whatever
- 19 and I do believe that the American consortium with whom I was working at the
- 16:08:04 20 time paid for the tickets.
- 21 Q. 429 Right. And who is the person who would have asked you to organise this table
- 22 or bring these clients to this particular function or to the function in
- 23 America whenever it took place?
- 24 A. Yes well if I can come at it the other way. It wasn't necessarily somebody
- 16:08:19 25 asked me to bring. It was a recognition that I had that this was an
- 26 opportunity for these American clients to meet various people in New York on
- 27 their own territory as it were and that I recommended them and I made the
- 28 arrangements with Des Richardson.
- 29 Q. 430 All right. So you recommended to your clients to go to the function so that
- 16:08:36 30 they could meet Irish politicians, is that right?

- 16:08:39 1 A. Correct. Specifically the Taoiseach if I recollect it, it related to the  
2 Taoiseach. I may be completely -- I may be conflating a number of these issues  
3 Ms. Dillon and I apologise if I'm doing that but certainly if it's in relation  
4 to attending Fianna Fail functions in America, yes I did. If it's in relation  
16:08:58 5 to bringing American clients to meet representatives of the Irish Government,  
6 yes I did that in the circumstances that I have outlined. It may not be  
7 specifically in these, on these dates.
- 8 Q. 431 On these particular dates. In the normal course of events who else would have  
9 attended those functions from Ireland that you can recollect with the exception  
16:09:17 10 of the Taoiseach?
- 11 A. Oh ...
- 12 Q. 432 Was Mr. Richardson in attendance?
- 13 A. Oh, yes certainly Mr. Richardson was there. I attended a function in London  
14 and as I say in America and Mr. Richardson was there at both of them.
- 16:09:38 15 Q. 433 Did Mr. Richardson at this stage in 2000 have a fundraising function within  
16 Fianna Fail can you remember?
- 17 A. He may well have done, yes. I think he ran functions every year, yes.
- 18 Q. 434 And you think it's likely that if you were making an arrangement in connection  
19 with your American clients to attend this function you would have made your  
16:09:59 20 arrangements through or with Mr. Richardson?
- 21 A. Yes, if I was attending a function the normal, in the normal course of events  
22 the arrangements would have been made either through Des Richardson or through  
23 one of his representatives, one of his assistants.
- 24 Q. 435 But that was a matter that had already been prearranged, is that right?
- 16:10:21 25 A. Yes, I believe so, yes.
- 26 Q. 436 Now, I think that on the 11th of April 2000 you attended before the Tribunal  
27 and you provided the Tribunal with a number of documents Mr. Dunlop. And I  
28 will take you through these documents.  
29
- 16:10:35 30 At 13761. This is one of the first documents provided and this was a list you

16:10:43 1 provided to the Tribunal on that occasion of the councillors whom you said you  
2 had lobbied in connection with Quarryvale  
3 A. Yes.  
4 Q. 437 All right. And I think the next list is, can be found at 13763. And you were  
16:11:01 5 identifying here the office at which strategy meetings were held about  
6 Quarryvale, isn't that right?  
7 A. Yes.  
8 Q. 438 And at 13765. You referred to the people who attended strategic meetings,  
9 isn't that right?  
16:11:18 10 A. Yes.  
11 Q. 439 You said Yourself Mr. O'Callaghan, Mr. Ambrose Kelly and assorted consultants,  
12 isn't that right?  
13 A. Correct.  
14 Q. 440 And I think at the strategy you also provided at 13768, a list of elected  
16:11:33 15 representatives who had attended at meetings in Frank Dunlop & Associates about  
16 Quarryvale, isn't that right?  
17 A. Yes.  
18 Q. 441 And you then provided a list at 13770 of those whom you said were members of  
19 Dublin County Council whom you lobbied in connection with Quarryvale?  
16:11:52 20 A. Yes.  
21 Q. 442 Right. And I think the second page is at 13771. And you identified at 13773  
22 the only councillor who had ever asked you for money, isn't that right?  
23 A. Yes.  
24 Q. 443 As being the late Tom Hand, isn't that right?  
16:12:07 25 A. Yes.  
26 Q. 444 Okay. Now, at that stage you didn't make any disclosure, isn't that right Mr.  
27 Dunlop of the material that you subsequently disclosed?  
28 A. That's correct.  
29 Q. 445 But it was clear, I suggest to you, from the information that Mr. Hanratty was  
16:12:22 30 putting to you that Mr. Hanratty had in his possession a full copy of the AIB

- 16:12:27 1 Rathfarnham account, isn't that right?
- 2 A. Yes.
- 3 Q. 446 And he was asking you to explain the various lodgements and the withdrawals in  
4 relation to it, isn't that right?
- 16:12:34 5 A. Correct.
- 6 Q. 447 Now, I think that on the following, on the 18th of April 2000, I think, which  
7 at 13774 you see you have an entry in your diary for the 18th and 19th of April  
8 for the Tribunal, isn't that right?
- 9 A. Yes.
- 16:12:51 10 Q. 448 And I think this is the second and third day's evidence?
- 11 A. Correct.
- 12 Q. 449 And I think on the 18th of April at 13776. You provided a list of those about  
13 whom, to whom you had told about Mr. Tom Hand asking for money, isn't that  
14 right?
- 16:13:09 15 A. Yes, yeah.
- 16 Q. 450 I think at 13778 you provided a preliminary list of people who had requested  
17 monies from you but you were not at that stage making any allegation of  
18 corruption, isn't that right?
- 19 A. Absolutely yes.
- 16:13:23 20 Q. 451 And I think also on that occasion that list continued at 13780, isn't that  
21 right?
- 22 A. Yes.
- 23 Q. 452 Now I think that in the course of that day there was also discussion between  
24 yourself and Mr. Hanratty about a document at 24562 please.
- 16:13:46 25 A. Yes.
- 26 Q. 453 And this was a document that you had with you, isn't that right, Mr. Dunlop?
- 27 A. Yes.
- 28 Q. 454 In the witness box?
- 29 A. Correct.
- 16:13:51 30 Q. 455 Now it wasn't a document that you had provided to the Tribunal in your

16:13:54 1 discovery, isn't that right?

2 A. Correct.

3 Q. 456 And it's a document. You told Mr. Hanratty, had been prepared or provided to

4 you, by Mr. O'Callaghan or somebody on his behalf, isn't that right?

16:14:04 5 A. That's correct, yes.

6 Q. 457 And what the document represented itself to be was a schedule of the payments

7 that had been made either to Frank Dunlop & Associates or to Shefran, isn't

8 that right?

9 A. That's correct.

16:14:15 10 Q. 458 And they covered the period from 1991, I think, to 1998, isn't that right?

11 A. I can't see the print but I think so yes. I am almost certain yes.

12 Q. 459 If you look at the bottom of the first column and it's quite difficult to read?

13 A. Yeah.

14 Q. 460 At the bottom of that you will see that the last two payments are 100,000 and

16:14:35 15 300,000?

16 A. Yes.

17 Q. 461 And the 100,000 is the payment on the 4th of June 98 and the 300,000 Pounds was

18 the payment on the 5th of October 98?

19 A. Correct.

16:14:44 20 Q. 462 Right. Now, what's not included on that schedule anywhere at all Mr. Dunlop

21 and I want to ask you about it is the legal fees?

22 A. Yes.

23 Q. 463 Yes. Now, why is it that when this schedule was being prepared Mr. Dunlop that

24 they were omitted?

16:15:06 25 A. I can't specifically answer that. Other than that this document was prepared

26 in the circumstances that I outlined to you last week.

27 Q. 464 Uh-huh?

28 A. After a meeting with Mr. O'Callaghan and some of his advisors in relation to

29 the actual payments that were made to Frank Dunlop, Frank Dunlop & Associates

16:15:24 30 and to Shefran.

- 16:15:25 1 Q. 465 Uh-huh. The agreement in relation to legal fees?
- 2 A. Yeah.
- 3 Q. 466 Was November and I think the first invoice issued in November, isn't that
- 4 right, of 1998?
- 16:15:34 5 A. Yes.
- 6 Q. 467 A month after the 300,000 Pounds was paid give or take a day or two, isn't that
- 7 right?
- 8 A. Yeah.
- 9 Q. 468 And I think we had seen on the last occasion that we were here that you had
- 16:15:43 10 attended a general meeting in Cork, isn't that right?
- 11 A. That's correct.
- 12 Q. 469 And you had told the Tribunal that you felt that one of the matters that you
- 13 would have discussed at that stage was documentation you were missing such as
- 14 the Shefran invoices and matters such as that sort?
- 16:15:56 15 A. Correct, yes.
- 16 Q. 470 And if this document was prepared following on such meeting then a large number
- 17 of the legal fees had in fact been paid, isn't that right, by the time that
- 18 meeting took place in Cork?
- 19 A. Yes they would have had, yes. I can't say how many but certainly some of them
- 16:16:11 20 would have been paid, yes.
- 21 Q. 471 And certainly by the 18th of April 2000 when you were in the witness box before
- 22 the Tribunal Mr. Dunlop, you would have been aware of the fact looking at this
- 23 document that there was an omission on it, isn't that right?
- 24 A. Well no I wouldn't say that I was aware that there was an omission on it. I
- 16:16:27 25 don't think that the payment of the legal fees loomed large certainly not in my
- 26 mind. What was at issue were payments made to Frank Dunlop & Associates and to
- 27 Shefran from either Riga or Barkhill or Owen O'Callaghan's companies.
- 28 Q. 472 Yes?
- 29 A. In relation to services rendered vis-a-vis Quarryvale. I don't think I would
- 16:16:46 30 have, it's not that I wouldn't have been conscious of it but it certainly,

- 16:16:56 1 payment of legal fees didn't loom large on the horizon as far as I was  
2 concerned at that stage.
- 3 Q. 473 Yes. But insofar as the document?
- 4 A. Yeah but you are quite right, they were paid. Up to the, up to the  
16:17:06 5 provision -- up to the preparation of this document monies would have been paid  
6 in relation to legal fees by that stage. The exact amount I don't know. But  
7 certainly substantial.
- 8 Q. 474 Right. This document was not created by you Mr. Dunlop isn't that right?
- 9 A. No.
- 16:17:23 10 Q. 475 Now you provided the Tribunal with a copy of, in fact I think the original of  
11 the document that you had with you in the witness box of which this is a copy,  
12 isn't that right?
- 13 A. It was taken from me.
- 14 Q. 476 Yes. The document was not a document created by you, isn't that right?
- 16:17:36 15 A. Oh, no it was not.
- 16 Q. 477 It was a document that was furnished to you by Barkhill or Riga or Mr.  
17 O'Callaghan or somebody acting on his behalf, isn't that right?
- 18 A. That's correct, yes.
- 19 Q. 478 And the purpose of creating the document I suggest to you Mr. Dunlop was to  
16:17:49 20 have an overview of the amount of money that had been paid by Riga or Barkhill  
21 to Frank Dunlop, Frank Dunlop & Associates and Shefran, isn't that right?
- 22 A. Yes, again without reprising it in total. The genesis of the document was to  
23 give as accurate an account as possible of the payments made to Frank Dunlop,  
24 Frank Dunlop & Associates and Shefran by Barkhill or Riga within -- from the  
16:18:13 25 date of -- from the date of engagement up to 1998.
- 26 Q. 479 Yes. And the document is substantially correct, isn't that right?
- 27 A. I would say so yes.
- 28 Q. 480 There are, with the main omission, if I can call it that, Mr. Dunlop, was the  
29 legal fees, isn't that right?
- 16:18:30 30 A. Yes. In relation to the -- the legal fees. You put it in such a way that it

16:18:37 1 was deliberate omitted. I never, it never -- just for the record. It never  
2 impacted at all on me in relation to the payment of legal fees. What I was  
3 concerned about was the provision of information in relation to actual payments  
4 to Frank Dunlop and Shefran from Riga and Barkhill in relation to the  
16:18:57 5 Quarryvale development and other matters.

6 Q. 481 Yes but I am not saying whether it was deliberate or otherwise. I am simply  
7 putting it to you Mr. Dunlop as a fact?

8 A. Yes.

9 Q. 482 Yes?

16:19:09 10 A. As a fact you are quite right.

11 Q. 483 Yes?

12 A. But the import of your question was that it was in some fashion or other  
13 deliberately done.

14 Q. 484 Now I think on the 19th of April 2000 you provided some further information to  
16:19:23 15 the Tribunal at this stage you have decided to co-operate with the Tribunal and  
16 you have started to make disclosure of payments being made to councillors for  
17 improper purposes, isn't that right?

18 A. Yes.

19 Q. 485 And you identify at 13786.

16:19:38 20 A. Yes.

21 Q. 486 A list totalling 112,000 Pounds that you say were payments you made for the  
22 1991 Local Election contributions but that they were payments in cash, isn't  
23 that right?

24 A. Yes.

16:19:50 25 Q. 487 And you told the Tribunal that at that stage that these were payments that were  
26 made from withdrawals from the Rathfarnham account, isn't that right?

27 A. Correct yes.

28 Q. 488 And it was the Rathfarnham account that was the subject matter of the  
29 discussion really between yourself and Mr. Hanratty, isn't that right?

16:20:06 30 A. Yes.



- 16:20:06 1 Q. 489 Because at this stage the Tribunal wasn't aware of the existence of the other  
2 accounts, isn't that right?
- 3 A. Correct.
- 4 Q. 490 Now that all, you did subsequently disclose that and the documents are in the  
16:20:16 5 brief but at this particular point in time Mr. Dunlop, on the 19th of April  
6 2000 you are for the first time telling the Tribunal of the existence, the true  
7 purpose, you say, of the Rathfarnham account which was a war chest account,  
8 isn't that right?
- 9 A. Yes.
- 16:20:31 10 Q. 491 And you have identified by writing on a list the people whom you say were paid  
11 out of that account?
- 12 A. Yes.
- 13 Q. 492 And I think there's one exception at No. 10 and you subsequently provided other  
14 information in relation to that person, isn't that right?
- 16:20:45 15 A. Correct, right.
- 16 Q. 493 And you also had tried to provide the Tribunal with information as to the  
17 source of lodgements that were made to the account, isn't that right?
- 18 A. Correct.
- 19 Q. 494 And you had been asked at 13782. About a lodgement on the 5th of June '91 of  
16:21:03 20 80, 000 Pounds?
- 21 A. Yes.
- 22 Q. 495 And you had said you would assist in every way in identifying it but that you  
23 weren't fully sure but a combination of Shefran monies and monies from other  
24 builders and developers?
- 16:21:14 25 A. Yes.
- 26 Q. 496 And I think subsequently you told the Tribunal that in fact you felt it was  
27 25,000 pounds from Mr. Kennedy together with the Shefran monies, isn't that  
28 right?
- 29 A. Yes correct.
- 16:21:32 30 Q. 497 And at this stage you have decided to co-operate with the Tribunal, isn't that

- 16:21:32 1 right?
- 2 A. Yes.
- 3 Q. 498 Right. And you have one final I think meeting with the -- in public evidence I
- 4 think with the Tribunal on Day 148 which is on the 9th of May, isn't that
- 16:21:43 5 right?
- 6 A. Yes, that's correct.
- 7 Q. 499 And I think following on the 19th of April 2000 at 13789. You have an entry in
- 8 your diary of the 28th of April, isn't that right?
- 9 A. Yes.
- 16:22:00 10 Q. 500 And can you just explain that entry to the Tribunal please.
- 11 A. It looks like "T at home".
- 12 Q. 501 Yes.
- 13 A. T at home. T ... yes, what date is this?
- 14 Q. 502 The 28th of April 2000.
- 16:22:18 15 A. Yes. I don't know who that ... normally, I would have to say to you, normally
- 16 if it is in that format that would relate to, that T would relate to Taoiseach.
- 17 I don't recollect having a meeting with any senior politician subsequent to the
- 18 9th of April 2000 to this day. Other than inadvertent casualty. An
- 19 inadvertently casual. I'm afraid I can't ... I'm afraid I can't help you
- 16:23:15 20 there, Ms. Dillon. T ... no.
- 21 Q. 503 In the normal course of events in your diary, Mr. Dunlop?
- 22 A. Uh-huh.
- 23 Q. 504 You have regardless of who the actual Taoiseach was?
- 24 A. Yes.
- 16:23:33 25 Q. 505 Where you have arranged a meeting with the Taoiseach you normally do so but not
- 26 in all cases by reference to a capital T, isn't that right?
- 27 A. That's correct, yes.
- 28 Q. 506 And we have seen references OOC to T, isn't that right?
- 29 A. Yes.
- 16:23:46 30 Q. 507 And you have told the Tribunal what that means is that you arranged a meeting

16:23:49 1 for Mr. O'Callaghan with the then Taoiseach. In that instance I think it was  
2 Mr. Albert Reynolds, isn't that right?

3 A. Correct, yes.

4 Q. 508 In the normal course of events in your diary where you have a capital T and you  
16:23:59 5 have set up a meeting, that is a reference to a meeting set up with the  
6 Taoiseach, isn't that right?

7 A. That's correct.

8 Q. 509 Of the day. And there are other references involving Taoiseach or T in your  
9 diary that we haven't dealt with because they clearly involve other people,  
16:24:11 10 isn't that right?

11 A. That's correct.

12 Q. 510 They are not the subject matter and they are not witnesses in this Module,  
13 isn't that right?

14 A. Yes.

16:24:18 15 Q. 511 Insofar as you refer to or put entries in your diary in this fashion, they  
16 normally relate to the Taoiseach?

17 A. Yes, they do.

18 Q. 512 And on the 28th of April 2000 had you arranged to meet the Taoiseach?

19 A. I have no recollection. This is 2000 so therefore the Taoiseach is, this is  
16:24:37 20 2008 this.is -- Bertie Ahern is the Taoiseach.

21 Q. 513 Yes, I understand.

22 A. Yes. And this certainly I did not have a meeting with Bertie Ahern at home,  
23 wherever that is. I certainly did not a meeting with Bertie Ahern at home on  
24 Friday the 28th of April at 3 O'Clock I have no recollection of ever having  
16:25:02 25 such a meeting. In fact, unnecessary as it is for me to announce it but I have  
26 not spoken to Bertie Ahern for nigh on eight years.

27 Q. 514 Can you provide the Tribunal with any explanation for the entry, Mr. Dunlop?

28 A. No, I'm afraid I can't. It is as confusing to me as it appears to be to you,  
29 Ms. Dillon but certainly if we follow what you have said already, I have  
16:25:42 30 normally put in T as a reference to the current Taoiseach, whoever that might

- 16:25:48 1 be, in relation to various meetings but certainly I have no, no understanding  
2 at all as to why there would be T at home there and that could refer to the  
3 then Taoiseach and the current Taoiseach because I never had such a meeting.
- 4 Q. 515 All right. It is probably, I suggest to you, Mr. Dunlop?
- 16:26:08 5 A. Yes.
- 6 Q. 516 A reference to a meeting with somebody, isn't that right?
- 7 A. Certainly. And what I would suggest to you too, Ms. Dillon, is it doesn't  
8 necessarily mean that it is at somebody else's home, it could well be at my  
9 home.
- 16:26:22 10 Q. 517 Yes but you have, you are clear on a number of points. You don't know what  
11 this is about?
- 12 A. No, I'm afraid I don't.
- 13 Q. 518 But you are absolutely satisfied that you did not have a meeting with the then  
14 Taoiseach, that is the current Taoiseach, on the 28th of April 2000 at either  
16:26:37 15 at his home or at your home?
- 16 A. The current Taoiseach was never in my home.
- 17 Q. 519 Okay but you accept that the normal entry you would make for a meeting with the  
18 Taoiseach is a capital T, such as is here, isn't that right?
- 19 A. Yes, that's correct.
- 16:26:50 20 Q. 520 And you can't say other than it's a meeting probably with somebody who in fact  
21 it was but you can't say who it was not, isn't that right?
- 22 A. That is correct, yes. I cannot say who it is but I can say who it is not.
- 23 Q. 521 Now I think on the 28th of April 2000 at 13790. The normal invoice issues,  
24 isn't that right, to Barkhill?
- 16:27:14 25 A. That's correct.
- 26 Q. 522 For the retainer?
- 27 A. Yes.
- 28 Q. 523 And on the 29th of April at 13791. An issue, an invoice for legal costs  
29 issued, isn't that right?
- 16:27:24 30 A. Correct.

- 16:27:25 1 Q. 524 And I think that on the 11th of July 2000 an additional invoice issued at  
2 13793.
- 3 A. Yes.
- 4 Q. 525 And I think that on the 9th of May you attended again before the Tribunal,  
16:27:52 5 isn't that right, and this was the fourth day of public evidence?
- 6 A. Yes.
- 7 Q. 526 Right. And I think that at that stage at 13 -- sorry at 25473. You provided  
8 the Tribunal with a list entitled "1991 to 1993 inclusive" being a list of the  
9 developments or developers in, who had paid you money effectively that you had  
16:28:18 10 lodged to your war chest accounts and who had been involved in the Development  
11 Plan, isn't that right?
- 12 A. Correct.
- 13 Q. 527 And you had identified a number of -- you had identified a number of developers  
14 but you hadn't included Quarryvale although you had already made disclosure in  
16:28:36 15 relation to Quarryvale, isn't that right?
- 16 A. That's correct, yes.
- 17 Q. 528 Now, you did provide another list at 13845 which you called the 1992 list which  
18 I think continues at page 13847, which identified payments in cash that you had  
19 made in 1992, isn't that right?
- 16:28:57 20 A. Correct.
- 21 Q. 529 And you also identified at 13849. The person who had accompanied you to Mr. GV  
22 Wright's house in November of 1992, isn't that right?
- 23 A. That's correct.
- 24 Q. 530 As being Mr. Owen O'Callaghan?
- 16:29:11 25 A. Yeah.
- 26 Q. 531 And you also told the Tribunal at 13851 that the money you had paid to Mr. GV  
27 Wright on that occasion was in connection with the development of Quarryvale,  
28 isn't that right?
- 29 A. Correct, yes.
- 16:29:27 30 Q. 532 And you identified two occasions other than the GV Wright situation where you

- 16:29:32 1 had discussed the payment of monies to councillors with Mr. O'Callaghan, isn't  
2 that right? And that's at 13853?
- 3 A. Yes.
- 4 Q. 533 And the first of those was to do with Mr. Tom Hand and the second was Mr. Sean  
16:29:46 5 Gilbride and I'll deal with those later. I'm just getting you to confirm that  
6 this is what you said to the Tribunal at the time?
- 7 A. That's correct yes.
- 8 Q. 534 So that you had identified three occasions on which you had discussed payments  
9 with Mr. O'Callaghan, isn't that right?
- 16:29:58 10 A. Correct.
- 11 Q. 535 That was Mr. GV Wright, Mr. Sean Gilbride and the, what you described as the  
12 Tom Hand affair, which was the demand for 250,000 Pounds about which you have  
13 already given evidence, isn't that right?
- 14 A. Correct yes.
- 16:30:11 15 Q. 536 And you identified at 13855. Ms. Therese Ridge who had approached you about  
16 making a political donation to Ms. Olivia Mitchell, isn't that right?
- 17 A. Yes.
- 18 Q. 537 And you identify you had identified at 13857 the councillors who approached you  
19 and told you or advised you that the cap on Quarryvale be reduced to 250,000  
16:30:34 20 square feet?
- 21 A. That's correct.
- 22 Q. 538 And at 13859 you provided a list of councillors who had been paid money by you  
23 at other times, that is other than in 1991 and in 1992?
- 24 A. Correct.
- 16:30:48 25 Q. 539 And you identified at 13861 the people who had tried to contact you after you  
26 had initially given your evidence?
- 27 A. That's correct.
- 28 Q. 540 That's Mr. Liam Lawlor and Mr. Sean Gilbride and Mr. Liam Lawlor, you have  
29 Ambrose Kelly to Owen O'Callaghan, isn't that right?
- 16:31:08 30 A. Yes.

- 16:31:08 1 Q. 541 And at 13862. Sorry. Sorry. No. You then concluded your evidence, Mr.  
2 Dunlop, in public and you went into private investigation with the Tribunal?  
3 A. Yes.
- 4 Q. 542 You provided information in relation to a number of matters which has been  
16:31:24 5 circulated and which is part of the brief, isn't that right?  
6 A. Correct.
- 7 Q. 543 And at 13865. On the 18th of May 2000 you issued an invoice to Riga Limited in  
8 the sum of 135,416.48 pounds, isn't that right?  
9 A. Correct.
- 16:31:46 10 Q. 544 Now, at this time did Mr. O'Callaghan write to you or discuss with you the  
11 question of the legal fees?  
12 A. Yes, I cannot put a specific date on it. I know it's in the brief but yes, Mr.  
13 O'Callaghan did raise the issue of legal fees with me subsequent to my  
14 appearance in public session at the Tribunal. And yes he did write to me, yes.
- 16:32:12 15 Q. 545 Did Mr. O'Callaghan seek an assurance from you prior to your evidence, the  
16 start of your evidence, did Mr. O'Callaghan seek any assurance from you about  
17 payments you had made to councillors?  
18 A. No.
- 19 Q. 546 Before you came to give evidence to the Tribunal on day 145 on the 11th of  
16:32:35 20 April 2000 had you discussed with Mr. O'Callaghan the nature of the evidence  
21 that you would be giving?  
22 A. No.
- 23 Q. 547 Had you had any conversation with him about what you would be telling the  
24 Tribunal?  
16:32:45 25 A. No, other than general conversation that I was going in to the Tribunal and he  
26 wished me luck.
- 27 Q. 548 Right. Did you explain to Mr. O'Callaghan the circumstances in which you were  
28 going in to provide the information to the Tribunal that you hadn't provided a  
29 statement?  
16:33:05 30 A. I can't specifically say that I told him. No, I can't specifically say that.

- 16:33:12 1 I may well have done, that I haven't provided the Tribunal with a statement. I  
2 will just be answering questions, I may well have done, yes. I can't  
3 specifically say that I did or did not tell him that I hadn't provided a  
4 narrative statement.
- 16:33:26 5 Q. 549 Well I mean did Mr. O'Callaghan ask you why are you suddenly being brought in  
6 like this, Mr. Dunlop, nobody else is being brought in. Why are you being  
7 brought in?
- 8 A. Well.
- 9 Q. 550 Very obvious question?
- 16:33:40 10 A. I don't recollect the genesis of any conversation with him along those lines  
11 other than that it became knowledge that I was being called to give evidence.  
12 I cannot say to you when I told Mr. O'Callaghan that. I obviously did. I  
13 think it is highly probable that I did tell him that I was going to be giving  
14 evidence on specific days or specific, from a specific date. I don't recollect  
16:34:07 15 Mr. O'Callaghan ever asking me why are you being brought in now or why you  
16 before anybody else, I don't recollect that no.
- 17 Q. 551 And did you have any discussion with Mr. O'Callaghan on the lines of what would  
18 be the most obvious question of all; what are you going to say to them?
- 19 A. No, I don't think so. I think the general orientation was that this was a  
16:34:28 20 matter that related to my lobbying activities specifically probably in relation  
21 to Quarryvale and I didn't have any further discussion with them about what I  
22 would or would not say. I mean, I came in and I said what I said.
- 23 Q. 552 Yes. And you knew, did you not Mr. Dunlop, before you ever came to give  
24 evidence that you'd be asked about matters that you'd been asked to provide a  
16:34:55 25 narrative statement about, isn't that right?
- 26 A. Yes.
- 27 Q. 553 And that one of the matters that you had been asked to provide a narrative  
28 statement about all of your dealings with Mr. O'Callaghan and with Barkhill and  
29 with Riga but also in relation to payments that were made to any elected  
16:35:10 30 representative, isn't that right?



- 16:35:11 1 A. Yes.
- 2 Q. 554 So you knew from the correspondence from the Tribunal what you had been asked  
3 to provide a narrative statement about, isn't that right?
- 4 A. Yes.
- 16:35:18 5 Q. 555 And therefore you knew when you were coming in to the Tribunal to give evidence  
6 that what you'd be asked about were the things that you'd been asked to provide  
7 a narrative statement about but which you had refused to do?
- 8 A. Yes which -- I declined the offer.
- 9 Q. 556 Yes, yes. As you were entitled to do?
- 16:35:32 10 A. As I was entitled to do.
- 11 Q. 557 Mr. Dunlop, but you did know what you would be asked about?
- 12 A. Yes, yes I certainly had a general notion as a result of the orders.
- 13 Q. 558 Yes. And you knew from the correspondence with the Tribunal that specifically  
14 the matters that you would be asked about would be payments that had been made  
16:35:50 15 to you in connection with Quarryvale and payments you had made if any in  
16 connection with Quarryvale, isn't that right?
- 17 A. Yes and specifically in relation to payments that had been made to me in  
18 relation to Quarryvale generated, the document that you had on screen some  
19 moments ago.
- 16:36:04 20 Q. 559 Yes. And it was in preparation and because you knew that you were going to be  
21 asked about that, that you came with that document, isn't that right?
- 22 A. Yes correct.
- 23 Q. 560 Because that was a schedule that was prepared for identifying for your  
24 assistance the payments you had received and the dates on which the payments  
16:36:20 25 had been made, isn't that right?
- 26 A. Correct yes.
- 27 Q. 561 So you did know when you were coming in, in very general terms, but you did  
28 know the nature of the questions you were going to have to face when you came  
29 in?
- 16:36:30 30 A. Yes.

- 16:36:30 1 Q. 562 And would you have discussed with Mr. O'Callaghan when you met him in advance  
2 of coming in, what you knew you were going to be asked about when you got here?  
3 A. No, I think as I said some moments ago, any conversation that I had with Mr.  
4 O'Callaghan prior to that time was of a general nature in relation to  
16:36:49 5 Quarryvale. The amounts of monies that he had paid me, as per the schedule  
6 that had been prepared, and that was it.  
7 Q. 563 Right?  
8 A. I had no further discussion with him.  
9 Q. 564 This was a Tribunal, Mr. Dunlop, which was called a planning and payments  
16:37:09 10 Tribunal, isn't that right?  
11 A. Yes, still is.  
12 Q. 565 And the purpose of the Tribunal was to examine allegations of payments and  
13 improper payments that were made in connection with procuring planning  
14 permission or indeed procuring zoning, isn't that right?  
16:37:17 15 A. Correct.  
16 Q. 566 So that the under-riding theme of the inquiry from the Tribunal would have been  
17 into whether or not any improper or corrupt payments were made by anybody in  
18 connection with Quarryvale, isn't that right?  
19 A. That's correct.  
16:37:29 20 Q. 567 And you wouldn't have to be a very, very clever person to know that that was  
21 one of the questions that was going to be put, isn't that right?  
22 A. Correct.  
23 Q. 568 And do you tell the Tribunal that in all of your discussions with Mr.  
24 O'Callaghan he never once raised with you the question about whether you had  
16:37:45 25 ever, ever made a payment?  
26 A. No, he did not.  
27 Q. 569 Right. Did he ever raise it indirectly, did he ever say to you anything along  
28 the lines "look do I have anything to be worried about here Frank"?  
29 A. I can't say definitively that he ever used a general term like that. I don't  
16:38:03 30 recollect it if he did but certainly he never asked me had I made any improper

- 16:38:09 1 payments.
- 2 Q. 570 All right. And you never volunteered to him?
- 3 A. No, no, I did not, no.
- 4 Q. 571 All right. In May of -- following on the -- your evidence to the Tribunal.
- 16:38:21 5 You went into private session with the Tribunal and provided information
- 6 privately, isn't that right?
- 7 A. That's correct, yes.
- 8 Q. 572 You were accompanied by your legal team for that, isn't that right?
- 9 A. That's correct I was, yes.
- 16:38:31 10 Q. 573 And this invoice of the 18th of May 2000 at 13865 makes reference as, I have
- 11 pointed out to you on the last occasion, which seems to say per letter and
- 12 reply OOC?
- 13 A. Sorry you've lost me.
- 14 Q. 574 If you see the little box in the centre Mr. Dunlop?
- 16:38:48 15 A. Oh, yes indeed.
- 16 Q. 575 It seems to contain a notation "per letter and reply OOC?"
- 17 A. Correct.
- 18 Q. 576 Right. Did you have correspondence with Mr. O'Callaghan in or around this time
- 19 in May 2000 about the evidence that you had given or did you have
- 16:39:05 20 correspondence with Mr. O'Callaghan about the legal fees?
- 21 A. Well I certainly never had correspondence with Mr. O'Callaghan about the
- 22 evidence that I had given. I cannot say that I didn't have correspondence. I
- 23 think we traversed this the last day.
- 24 Q. 577 Yes?
- 16:39:18 25 A. I cannot say. I didn't have correspondence. I cannot say that I didn't have
- 26 correspondence with Mr. O'Callaghan about the legal fees. Certainly
- 27 Mr. O'Callaghan and myself did discuss the legal fees and certainly Mr.
- 28 O'Callaghan wrote about the matter.
- 29 Q. 578 Yes?
- 16:39:34 30 A. But I cannot say whether I generated that by way of letter, I cannot say that I

- 16:39:39 1 wrote a letter to Mr. O'Callaghan. I may well have done. I don't recollect it  
2 if I did.
- 3 Q. 579 We don't appear. I'm not saying this. We don't appear to have a copy of that  
4 correspondence if there was such a correspondence?
- 16:39:55 5 A. The only matter that I can recollect in relation to the legal fees was a  
6 discussion that I had at some stage with Mr. O'Callaghan subsequent to my  
7 evidence. The import of which was that Mr. O'Callaghan was concluding payments  
8 of legal fees.
- 9 Q. 580 And when did you have that discussion with Mr. O'Callaghan?
- 16:40:16 10 A. Sometime after ... I cannot say specifically but it was sometime after I had  
11 given evidence.
- 12 Q. 581 If you look at 13870. This is the your diary for the week beginning 22nd of  
13 May 2000. You will see there an entry "11 O'Clock, private meeting with the  
14 Tribunal" and you will see on the 25th?
- 16:40:35 15 A. Yeah.
- 16 Q. 582 At "6 to 7 o'clock Owen O'Callaghan"?
- 17 A. Yes.
- 18 Q. 583 Now is it likely that that's the meeting at which Mr. O'Callaghan withdrew his  
19 financial support of you in connection with the legal fees?
- 16:40:46 20 A. It could well be, I cannot say specifically. I don't know when, I cannot say  
21 to you now without looking at any documentation in the brief when the final fee  
22 note, as it were, was paid, invoiced and paid but certainly at some stage there  
23 was a discussion between Mr. O'Callaghan and myself, the nub of which was the  
24 conclusion of the payment of legal fees.
- 16:41:09 25 Q. 584 Yes. I think subject to correction, that the final legal fees invoice is dated  
26 the 11th of July 2000?
- 27 A. Yes.
- 28 Q. 585 Did you discuss with Mr. O'Callaghan what you had discussed with the Tribunal  
29 on the 23rd of May when you met with Mr. O'Callaghan on the 25th?
- 16:41:29 30 A. I cannot say that I did on that specific occasion but yes, at some stage after

16:41:34 1 I had had meetings with the Tribunal by public, certainly after public  
2 sessions, Mr. O'Callaghan began to express concern.

3 Q. 586 To you?

4 A. Yes.

16:41:53 5 Q. 587 About what?

6 A. The fact that he didn't know that I had such a stable of clients or that I had  
7 been doing what I was doing.

8 Q. 588 He expressed concern to you because he hadn't known that you were paying?

9 A. Yes.

16:42:09 10 Q. 589 Making improper payments to councillors?

11 A. Yes.

12 Q. 590 What I had asked you in fact, Mr. Dunlop, was whether when you met with Mr.  
13 O'Callaghan on the 25th of May 2000 you would have discussed with him what you  
14 had discussed with the Tribunal when you met with the Tribunal legal team on  
16:42:23 15 the 23rd of May.

16 A. It's possible. I wouldn't, I wouldn't rule it out. It's possible. I have to  
17 say to you at that stage I wasn't in any particular condition to be having  
18 lengthy conversations with anybody.

19 Q. 591 Right. And I think at 13871, Mr. Dunlop, on the 31st of May you have an entry  
16:42:44 20 for CB at F.D.A. do you see that?

21 A. Yes.

22 Q. 592 What is that in connection with, first of all who is it?

23 A. Well let me deal with it on the basis of an immediate thing that comes to mind.  
24 I know that one shouldn't do that in the witness box but certainly the  
16:43:09 25 immediate -- my immediate reaction there would be that that could well be  
26 Cathal Boland at F.D.A. Cathal Boland never came to my office in May 2000.

27 Q. 593 Do you see the next entry Mr. Dunlop?

28 A. Yes, I can tell you exactly who that is. It's nothing to do with the Tribunal.  
29 But let me just think for a moment. CB. No. I'm afraid I can't assist you  
16:43:50 30 now. I will try overnight on that particular one and the other one just to

- 16:43:55 1 think who that might be.
- 2 Q. 594 Yes. And on the 1st of May 2000 you will see that you attended again at a  
3 private meeting at the offices of the Tribunal?
- 4 A. Yes.
- 16:44:05 5 Q. 595 And you will see that your meeting with Mr. O'Callaghan at half past three on  
6 the same day.
- 7 A. Correct yes.
- 8 Q. 596 And is it likely that you would have discussed with Mr. O'Callaghan what you  
9 had discussed with the Tribunal?
- 16:44:15 10 A. I doubt very much if I had any in-depth conversation with Mr. O'Callaghan about  
11 what was being discussed. Mr. O'Callaghan at this stage I think was a little  
12 bit more concerned about me than he was about anything else.
- 13 Q. 597 Yes. Are you saying that you would not have discussed with him what you had  
14 discussed with the Tribunal?
- 16:44:30 15 A. Yes. Not, I may well have made general remarks about the extent of the  
16 investigation by the Tribunal that was evident in the course of private  
17 sessions but I'm not saying that I didn't discuss anything with him but I'm not  
18 saying exactly what I said either.
- 19 Q. 598 Would you have discussed with him, albeit in a general way, the level of  
16:44:53 20 documentation that the Tribunal had or had been produced to you at the private  
21 session for comment?
- 22 A. It's possible, yes, it is possible.
- 23 Q. 599 And I think that at 13875 on the 27th of June you have an entry in your diary  
24 for DR?
- 16:45:16 25 A. Yes.
- 26 Q. 600 Yes. And is that Mr. Richardson?
- 27 A. Yes, that would be Des Richardson, yes.
- 28 Q. 601 And may the Tribunal take it that Mr. Richardson, you would have discussed with  
29 Mr. Richardson also in a general way what you had discussed with the Tribunal?
- 16:45:31 30 A. No.

- 16:45:32 1 Q. 602 Why not, Mr. Dunlop?
- 2 A. Because I think at this stage -- first of all I think Mr. Richardson was more,  
3 was somewhat concerned about what was occurring in relation to me personally,  
4 physical health. I'm not going to go into that in particular but I think that  
16:45:49 5 was one of the main concerns he had at the time. I probably did say to him  
6 that this is far more extensive than anybody ever anticipated and you know is  
7 going to go all over the place. Something of that nature. I would not have  
8 discussed in any great detail. Certainly I would have not have discuss shown  
9 him any documentation and I would not have discussed in any detail anything  
16:46:09 10 that had transpired at that stage.
- 11 Q. 603 But you would have given Mr. Richardson an indication that the Tribunal's  
12 inquiries were going to be more in-depth than had been anticipated?
- 13 A. Oh, yes I think that is highly probable.
- 14 Q. 604 And would you have given the same indication to Mr. O'Callaghan?
- 16:46:23 15 A. Yes, I think that is highly probable too.
- 16 Q. 605 Right. And did you ever have any meeting in the County Club with Mr.  
17 O'Callaghan?
- 18 A. Yes I did.
- 19 Q. 606 Yes. When did you have those meetings, can you remember Mr. Dunlop?
- 16:46:35 20 A. Mr. O'Callaghan, again for convenience to me, came to see me in the County Club  
21 which is a mile from my home. It's a local hostelery, pub and restaurant and  
22 he came to see -- he came with a view, with a point of view of just visiting me  
23 at this particular time and we went to the County Club.
- 24 Q. 607 And when you say at this particular time, would you have met with him in or  
16:47:06 25 around May and June of 2000, isn't that the particular time you're talking  
26 about?
- 27 A. Actually, yes. I don't know whether this is recorded in my diary, Ms. Dillon,  
28 but certainly the -- sorry, frank Connolly wrote a story something to the  
29 effect that Mr. O'Callaghan and Mr. Dunlop had been seen meeting in the County  
16:47:32 30 Club and Mr. Connolly went to and demanded information from the head waitress

- 16:47:38 1 in the County Club to give information as to when, where and how I was there.
- 2 Q. 608 Yes?
- 3 A. I think he wrote about it but I'm not sure.
- 4 Q. 609 Yes. But I was asking you Mr. Dunlop was whether I said "at this time" whether
- 16:47:50 5 you meant that those meetings with Mr. O'Callaghan in the County Club took
- 6 place in June/July of 2000?
- 7 A. Well.
- 8 Q. 610 Or May?
- 9 A. I wouldn't definitively say what date they were but I wouldn't be surprised if
- 16:48:06 10 it had been, if it was confirmed to me that they took place sometime before
- 11 we'll say between May and July of that year.
- 12 Q. 611 Of that year?
- 13 A. Yes.
- 14 Q. 612 And had you a number of meetings with him in the County Club at that time?
- 16:48:17 15 A. I certainly had one. And I think a second one was aborted because a politician
- 16 arrived unexpectedly and unannounced. Just happened that a politician walked
- 17 into the restaurant and we just left.
- 18 Q. 613 So that you had at least two meetings with Mr. O'Callaghan there?
- 19 A. Yes.
- 16:48:35 20 Q. 614 And at 13876. You have a meeting that is recorded for the 7th of July 2000,
- 21 "Owen O'Callaghan at marketing suite"?
- 22 A. Yes.
- 23 Q. 615 That's obviously not a meeting in the County Club on the 7th, isn't that right?
- 24 A. That's correct yes.
- 16:48:50 25 Q. 616 You will see there on the 4th you also have a meeting. Can you just identify
- 26 what that meeting is?
- 27 A. The 4th.
- 28 Q. 617 You will see just there that there is an entry.
- 29 A. Tenants meeting.
- 16:49:04 30 Q. 618 Is that?



- 16:49:05 1 A. I think that's a tenant's meeting in my building.
- 2 Q. 619 On the 7th of you meet with Mr. O'Callaghan obviously not a meeting that's  
3 taking place in the County Club, isn't that right?
- 4 A. Yes.
- 16:49:15 5 Q. 620 I think in July at 13877. You issue an invoice on the 11th of July at 13793  
6 for legal fees in the sum of 17,782 Pounds, isn't that right?
- 7 A. Correct.
- 8 Q. 621 Which you would have cleared with Mr. O'Callaghan before you issued this, isn't  
9 that the position?
- 16:49:31 10 A. That's correct, yes.
- 11 Q. 622 And you would also have cleared the earlier invoice of the 18th of May 2000  
12 with Mr. Dunlop, with Mr. O'Callaghan prior to issuing it, isn't that right.
- 13 A. That's correct yes.
- 14 Q. 623 That's the one for 135,000 Pounds odd?
- 16:49:44 15 A. Yes.
- 16 Q. 624 And on the 13th at 13877 Mr. Dunlop, the 13th of July. You have an entry for  
17 "OOC" which is referable to Mr. O'Callaghan, isn't that correct?
- 18 A. Yes.
- 19 Q. 625 It's not recorded there that that's a meeting at the County Club isn't that  
16:49:59 20 right?
- 21 A. No.
- 22 Q. 626 So it's likely not to have been the County Club, is that right?
- 23 A. I can't say definitively that it is or was not but certainly as I said within  
24 the time frame that I have outlined to you that I did have one and an aborted  
16:50:15 25 meeting with Mr. O'Callaghan at the County Club.
- 26 Q. 627 Yes. And on the 14th of July Mr. Dunlop, Mr. O'Callaghan wrote to you at  
27 13799. So this letter is sent to you the day after he meets you on the 13th?
- 28 A. Yes.
- 29 Q. 628 All right. And in it he says "Dear Frank, it has been on my mind that some  
16:50:37 30 monies were paid to a solicitor in Dublin on behalf of Colm McGrath. I have no

16:50:41 1 account of this?"

2 A. Uh-huh.

3 Q. 629 "I am anxious to establish if this has happened or not. It could have been

4 sometime in 1992. Can you throw some light on this subject?"

16:50:50 5 A. Uh-huh.

6 Q. 630 "I have spoken to Colm who has some recollection of this happening but is not

7 quite sure. I know you have confirmed to me that you never paid politicians on

8 my behalf. You might contact me after your holidays. Kind regards, yours

9 sincerely, Owen O'Callaghan?"

16:51:07 10 A. All right.

11 Q. 631 Now, I think ultimately you did reply to that correspondence, isn't that right?

12 A. Ultimately.

13 Q. 632 And it took some time for you to reply to that correspondence. I want to ask

14 you about the second last sentence "I know you have confirmed to me that you

16:51:21 15 never paid politicians on my behalf?"

16 A. Yeah.

17 Q. 633 Now, in fact you had paid politicians on behalf of Quarryvale as it were, isn't

18 that right?

19 A. Correct.

16:51:30 20 Q. 634 All right. Would you just outline to the Tribunal the circumstances in which

21 you gave that confirmation to Mr. O'Callaghan if you did indeed give it?

22 A. I didn't.

23 Q. 635 You didn't?

24 A. No.

16:51:39 25 Q. 636 You never gave any such confirmation?

26 A. I have consistently said that I was never asked for confirmation or an

27 undertaking by Mr. O'Callaghan that I had not, that I had given -- that I had

28 not given I should say, politicians -- money to politicians on his behalf.

29 Q. 637 Uh-huh. Though you were saying that while Mr. O'Callaghan asserts that you

16:51:59 30 have given such a confirmation to him in this letter, that no such confirmation

- 16:52:04 1 in fact was ever sought from you or indeed given?
- 2 A. I have no recollection whatsoever of Mr. O'Callaghan ever asking me for such an
- 3 assurance or confirmation. And in those circumstances I can say definitively
- 4 to you that I never did.
- 16:52:16 5 Q. 638 I beg your pardon?
- 6 A. In those circumstances I can say to you definitively that I never did.
- 7 Q. 639 Can I just ask you then finally, Mr. Dunlop, can I show you a document at
- 8 13803. This is an extract from -- the Riga Limited supplier invoices. And I
- 9 am going to, if we just -- just beneath half way down the page. And there are
- 16:52:48 10 three invoices 2271, 2276 and 2280. Each in the sum of 5,000 Pounds plus VAT?
- 11 A. Yes, I can't see it now.
- 12 Q. 640 It's going to be increased now hopefully?
- 13 A. Okay.
- 14 Q. 641 Can you see them now? Written in handwriting beside it "Frank Dunlop fees" do
- 16:53:04 15 you see that?
- 16 A. Yes I do.
- 17 Q. 642 Okay. Now, they are three invoices the first of which issues on the 31st of
- 18 July?
- 19 A. Yes.
- 16:53:10 20 Q. 643 And this is the first invoice for the retainer if I can call it that. That is
- 21 issued to Riga, you understand?
- 22 A. Right, yes.
- 23 Q. 644 Up to this point in time, Mr Dunlop, you had been issuing the invoices to
- 24 Barkhill?
- 16:53:25 25 A. Correct.
- 26 Q. 645 Now what led to the change so that Barkhill is no longer being invoiced in
- 27 respect of your fees but Riga is?
- 28 A. Well whenever the change occurred and if this is the occasion which it
- 29 occurred.
- 16:53:38 30 Q. 646 This is the first instance of it?

- 16:53:39 1 A. Then it occurred because Mr. O'Callaghan told me that this was the entity that  
2 I was to invoice. I would as you have rightly pointed out, normally invoiced  
3 Barkhill on an automatic basis for the retainer fee.
- 4 Q. 647 Did Mr. O'Callaghan give you an any explanation as to why it was your invoicing  
16:53:56 5 arrangements were being changed from Barkhill to Riga?
- 6 A. Not that I can recollect. And in fact I wouldn't have recollected it, any  
7 difference in it even up to this point other than that he told me that this was  
8 the way that he wanted it invoiced.
- 9 Q. 648 Yes?
- 16:54:13 10 A. As I say, normally we would have done it automatically and it would have  
11 continued automatically via Barkhill as the entity to be invoiced. That was  
12 its arrangement. If the change took place, it took place because not at our  
13 instance, my company's instance but certainly it would have taken place because  
14 Mr. O'Callaghan told us to do it.
- 16:54:33 15 Q. 649 It wasn't within your power?
- 16 A. Oh, no.
- 17 Q. 650 To change who was going to pay your invoices, isn't that right?
- 18 A. Yes correct.
- 19 Q. 651 And this change in the payment between yourself and Mr. O'Callaghan -- between  
16:54:45 20 Barkhill in the first instance and the newer relationship with Riga is  
21 something that commences on the 31st of July 2000 as a result of a conversation  
22 you have with Mr. O'Callaghan in which he tells you this is the new arrangement  
23 that will pertain?
- 24 A. Yes.
- 16:54:59 25 Q. 652 Is that correct?
- 26 A. I don't recollect the conversation but certainly what I am saying to you is  
27 that if the change took place and it did, as is evident from the documentation,  
28 then it could only have taken place at either the request to do so by Mr.  
29 O'Callaghan himself or somebody on Mr. O'Callaghan's behalf. And I normally  
16:55:20 30 discussed all matters relating to fees, except on one or two instances when I

16:55:26 1 didn't and I discussed it with Aidan Lucey, I always discussed matters with  
2 Owen O'Callaghan. So the import of that, of your suggestion is correct, that  
3 if it was a change, if it was a change at the behest of Mr. O'Callaghan.

4 Q. 653 And insofar as you met with Mr. O'Callaghan on one or two occasions in the  
16:55:45 5 County Club. Did you ever meet with anybody else at the County Club and  
6 discuss anything to do with the Tribunal?

7 A. At the County Club?

8 Q. 654 Maybe I'm ... the Country Club?

9 A. No, the County Club.

16:55:58 10 Q. 655 The County Club.

11 A. Not that I can immediately recollect, no.

12 Q. 656 Did you ever meet Mr. Tim Collins there for example?

13 A. No, never met Tim Collins in the County Club.

14 Q. 657 I am going to move on to ... something else now, Sir.

16:56:18 15  
16 CHAIRMAN: All right. Well we'll rise then until tomorrow. I think we are  
17 sitting at, is it 10 O'Clock tomorrow?  
18

19 MS. DILLON: 10 o'clock.

16:56:20 20  
21 CHAIRMAN: With Mr. Dunlop?  
22

23 MS. DILLON: Yes, Sir.  
24

16:56:23 25 CHAIRMAN: And then 2 o'clock for other witnesses.  
26

27 MS. DILLON: Yes, Sir.  
28

29 CHAIRMAN: Thank you, Mr. Dunlop

16:56:30 30 A. Thank you, Chairman, I appreciate it.

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**THE TRIBUNAL THEN ADJOURNED UNTIL THE FOLLOWING DAY,**  
**TUESDAY, 22ND JANUARY 2008, AT 10:00 A.M.**