

1 Q How many other offices are there, please, other
2 distributors for Austin Powder?

3 A That I'm responsible for.

4 Q That the company has?

5 A Approximately 65 to 70.

6 Q All right. And how long has Austin been in business?

7 A Since 1833.

8 Q Who do they sell to?

9 A Construction companies, sewer contractors, and rock
10 quarries.

11 Q Does Austin have any relationship with the Bureau of
12 Alcohol, Tobacco and Firearms?

13 A Yes, we're governed as far as storage regulations and
14 inventory control by the BATF.

15 Q Now up to, directing your attention to October 1991, up
16 to that time, Mr. Adams, can you tell the Court and jury,
17 please, where Austin's electric detonator caps were
18 manufactured?

19 A Austria.

20 Q And that's according to Austin's specifications?

21 A Yes, it is.

22 Q Were they also assembled in Austria up to that time?

23 A Yes, sir.

24 Q And where would those electric detonator caps moved when
25 they left Austria, where would they go?

1 A They go to MacArthur, Ohio for distribution.

2 Q Where do the assembly of these caps take place?

3 A At MacArthur, Ohio.

4 Q Now, let me show you -- if I may approach, your Honor?

5 THE COURT: Yes.

6 MR. LIBBY: Actually it doesn't have an exhibit
7 number now but we'll have one in a moment, your Honor.

8 I beg your pardon. 17 C. Record reference 17 C.

9 Q And I show you a depiction on the left-hand side of 17 C,
10 do you recognize that?

11 A Yes, I do.

12 Q What do you recognize that to be, please?

13 A Austin Rock Star detonator.

14 MR. LIBBY: Your Honor, if we can have 17 C admitted
15 de bene.

16 MS. GERTNER: No problem.

17 THE COURT: In full or de bene?

18 MS. GERTNER: It can be in full.

19 MR. LIBBY: It can be in full, your Honor? Thank
20 you.

21 [Government's Exhibit 17 C entered in evidence.]

22 MR. LIBBY: And also Government's Exhibit 12-1 if we
23 can offer that in evidence at this time.

24 MS. GERTNER: In full.

25 [Government's Exhibit 12-1 entered in evidence.]

1 Q First directing your attention to, if you can perhaps
2 come down here in front of the jury so they can see 17 C,
3 please.

4 [Demonstration at jury box.]

5 Q Pointing to the left-hand portion of C would complain to
6 the jury what you see there?

7 A There is an Austin Rock Star electric detonator.

8 Q What is that used for?

9 A That is used to set off the explosion in a bore hole.

10 Q What's a "bore hole"?

11 A That's a hole drilled in the rock to hold the explosives
12 column.

13 Q What goes in the in the explosives column?

14 A Explosives.

15 Q Can you just very briefly outline to the jury the
16 components of the detonator cap?

17 A In through here?

18 Q Please.

19 A The aluminum shell holds the components. The base charge
20 is your actual explosive charge that detonates into your
21 primer which is the explosive that sets off the rest of the
22 explosives column. The lathe tube house the delay charge
23 which then sets off the ignition charge which sets off the
24 base charge. And then the fuse head is basically begun by an
25 electric current which flows through your leg wires.

1 Q The leg wires are where, please?

2 A Here and here.

3 Q Is there anything thing distinctive about Austin's leg
4 wires?

5 A Yes, the color.

6 Q What is that, describe to the jury how it is distinctive
7 in the industry?

8 A The different manufacturers have different color leg
9 wires. The reason -- one of the reasons for the different
10 color leg wires is when you have a series of detonators that
11 you're going to be setting off, a number of poles, you have to
12 complete a series circuit. And you have to designate a
13 positive and a negative wire, and that's why there are
14 different colors and then each manufacturer has different
15 colors for his own identification.

16 Q We see down here a little flag; do you say that here?

17 A Yes.

18 Q What's that flag made out of?

19 A Paper.

20 Q What does it designate, very briefly?

21 A It designates the delay that the path or detonator is
22 timed at.

23 Q Is there anything distinctive about, anything further
24 distinctive about Austin Rock Star detonator cap with respect
25 to delay?

1 A Yes, at the base of the detonator, on the aluminum shelf
2 that the lathe period that goes with this paper delay period
3 is the same.

4 Q Now, directing your attention to the photograph portion
5 of Exhibit 17 C, the right-hand portion, is there anything
6 there that you find significant with respect to identifying
7 what is there?

8 A On here?

9 Q Yes, sir.

10 A Yes, you can see the delay stamp on the end of the
11 detonator.

12 Q Anything else that's distinctive?

13 A Yes the color of the leg wires.

14 Q And what do you recognize then what's depicted in the
15 photograph portion of Exhibit 17 C to be?

16 A In my opinion, based on the color of the leg wires and
17 the delay stamped at the base of the detonator, it is an
18 Austin Rock Star detonator.

19 Q Now, let me show you also Government's Exhibits 12-1.
20 And looking there through the top of this can you make that
21 out?

22 A Yes.

23 Q What do you see there, please?

24 A I see detonator with red and yellow leg wires.

25 Q Again what do you recognize about that?

1 A That's a Rock Star electric detonator.

2 MR. LIBBY: Please resume your seat.

3 Q Sir, up to October 1991, sir, is it fair to say that all
4 Austin Rock Star electric detonator caps were manufactured,
5 the components were manufactured in Austria, correct?

6 A That's correct.

7 Q And either shipped directly to the United States or later
8 assembled in MacArthur, Ohio, correct?

9 A That's correct.

10 Q And after how are they then -- how then do they leave
11 MacArthur, Ohio?

12 A Pardon?

13 Q Does Austin have distributor outlets throughout the
14 United States?

15 A Yes.

16 Q Have there ever been, sir, up to October 1991, any Austin
17 Rock Star electric detonator caps manufactured or assembled in
18 Massachusetts?

19 A No.

20 MR. LIBBY: Thank you. Nothing further, your Honor.

21 THE COURT: Do you have any questions?

22 MS. GERTNER: Yes.

23

24

25

Cross-examination by Ms. Gertner

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q Were you able to determine from the remnants that were shown you or from the picture where someone would have purchased this particular detonator?

A No, ma'am.

Q Is there anything, any identifying mark on any particular detonator like a serial number, you know, on a piece of equipment?

A There are no serial numbers on individual detonators.

Q What distributors of this, who distributes this particular material in Massachusetts, if you know?

MR. LIBBY: Objection, your Honor. In Massachusetts?

MS. GERTNER: I can rephrase the question although I'm not sure why but I will.

Q Let me rephrase the question. Detonators are -- the company manufactures them and then they are shipped to the distributors; is that right?

A That's correct.

Q Are there distributors in the northeast?

A Yes.

Q Is there any way of identifying from the product which distributor the detonator went to?

A No.

Q So from the debris there's no way of determining that it

1 was bought at this store or that store or anything like that;
2 is that right?

3 A No.

4 Q Were you asked to review any of your files to see if
5 anyone had made a purchase of a large quantity of detonators
6 or anything like that?

7 A Yes.

8 Q And did you come up with any individual?

9 A No.

10 MS. GERTNER: Thank you.

11 THE COURT: Any redirect?

12 Redirect Examination by Mr. Libby

13 Q As of October 1991 for that year, so to give the jury a
14 sense of scale, Mr. Adams, how many Austin Rock Star electric
15 detonators caps were sold that year?

16 A In the region that I'm responsible for, approximately
17 600,000.

18 Q And retail cost per cap, sir?

19 A An average of \$3 each.

20 MR. LIBBY: Nothing further, your Honor.

21 THE COURT: Thank you, Mr. Adams. You are excused.
22 Who is next?

23 MR. KELLY: The United States calls Cynthia Wallace.
24
25