

5 actually about ten of his friends there from the Rosehill Races that were blokes and then there was girls as well so - so there would have been about ten guys there that he went with and then I don't even know how many of that ten people of the Rosehill Racehorses would have gone to the Surf Rock after, so it would have been maximum ten people that he went there with.

10 Q. To Rosehill?  
A. No, well yeah to Rosehill and then maximum to the Surf Rock but then he probably would have known maybe another ten people probably yeah.

15 Q. So you mean by that your--  
A. I mean I'm just guessing you know--

20 Q. You're assuming that if ten people from Rosehill all went to the nightclub, you also think you would have known another ten people there?  
A. Yeah, yeah.

Q. Separate from the Rosehill races?  
A. Yeah probably.

25 Q. At the nightclub, so there would have been other acquaintances of his in the nightclub that night?  
A. Yeah, yeah, yeah you know, he would have - he would have known a fair few - well like I said on the last question, everyone sort of knows everyone. It's pretty  
30 sort of, you know insular peninsula, everyone sort of knows everyone.

Q. You were asked a number of questions about the time at which before any pushing and shoving happened there was  
35 what seemed to you to be heated conversation between Shane and the bouncer or bouncers?  
A. Yeah.

40 Q. Do you mean by that it appeared heated on both sides or one side or what?  
A. On both sides, yeah, yeah. It takes two to tango sort of thing, you know, like it was - he was - I mean Shane probably instigated it and said, he came up and said - you know he approached the bouncer first but yeah, and there  
45 wasn't much talk and I mean that only lasted for half - five to ten seconds or whatever and then there was - I mean it's hard to put timeframes on it but it didn't seem like a very long time they talked before there was physical action, yeah.

50 Q. You were asked questions about Shane and whether he was totally out of control?  
A. Yeah, yeah.

55 Q. What do you understand to mean by out of control?  
A. Well yeah, that's, yeah what did I say back to that, like?

HIS HONOUR

Q. What do you mean, what do you think that was meant by that?

5

CROWN PROSECUTOR

Q. What do you understand that to mean?

10 A. Well I - well yeah I - yeah, totally out of control is if - I suppose if - well he was getting asked to leave and well let me think about it. I mean if there was no bouncer there then he would have been fine, you know, like if there was and--

15

Q. Did he appear to you to be out of control?  
A. Well he like, um--

5 Q. I withdraw that question--

HIS HONOUR: I think you're not getting anywhere with this, Mr Prosecutor?

10 WITNESS: What do I think is out of control?

CROWN PROSECUTOR

15 Q. Yes?  
A. Well someone who's dangerous like. Someone who's wanting to fight I suppose.

Q. From what you saw was he out of control?  
A. I suppose yes.

20 Q. In what way?  
A. Well the thing is because he was, he was pushing, there was the heated argument, he was pushing, the bouncer was pushing, and you know it's - so if the bouncer didn't - I mean if - it's weird because if the bouncer didn't do anything he wouldn't have done anything. If - I don't think. Well I don't know. I don't know what he would've done. I don't know how to answer the question.

25 Q. You said that he was lifted up and taken down the stairs. What do you mean by lifted up?  
30 A. From the ground.

Q. Do you mean by that that his feet aren't touching the ground as he's going down the stairs?  
35 A. No, no, like he was pinned on the ground, on the first floor, and he was lifted from the ground and taken downstairs.

40 <THE WITNESS WITHDREW

HIS HONOUR: It's been a very long day, members of the jury, and I thank you for your patience. It seemed to me important to finish this witness's evidence. Tomorrow, as I understand it, there are likely to be only a few more  
45 witnesses before the Crown case finishes and we will then get to see what happens with the defence case. Thank you, members of the jury, we will see you tomorrow morning.