

IN THE MATTER of an indictment in the Nova Scotia Supreme Court charging Glen Eugene Assoun with the second degree murder of Brenda Way on the 12th day of November, 1995;

AND IN THE MATTER of the conviction of Glen Eugene Assoun in the Nova Scotia Supreme Court for the second degree murder of Brenda Way on the 17th day of September, 1999, and the sentence of life imprisonment thereafter imposed;

AND IN THE MATTER of an application for ministerial review of the said conviction of Glen Eugene Assoun pursuant to Part XXI.1 of the *Criminal Code of Canada*

AFFIDAVIT OF COREY GLENN DON TUMA

I, Corey Tuma, of the city of Fort MacMurray in the province of Alberta, hereby MAKE OATH AND SAY AS FOLLOWS:

A. Biographical Information:

1. I am 40 years old. My date of birth is April 2, 1970. I am currently living in Fort MacMurray, Alberta and was until recently working in the oil and gas business.

B. Background of my involvement in the Brenda Way homicide investigation:

2. I met Glen Assoun ("Glen") and Brenda Way ("Brenda") at the Four Star Motel ("Four Star") in Dartmouth, Nova Scotia in the summer of 1995. I was working and living at the Four Star as the front desk manager and Glen and Brenda were living together in the motel.

3. At some point towards the end of the summer of 1995 Brenda moved out. Glen stayed for a month or so then moved out as well.

4. I remember hearing about Brenda's murder shortly after it happened. It was quite a shock to me because it was the first and only time someone that I knew had been murdered.

C. My first statement to the police on December 4, 1995:

5. About three weeks or so after the murder a police officer showed up at the Four Star and asked me if I had any information about the murder. I told him that I think that I remembered Brenda coming into the motel the night before she died at about 10 pm while I was watching a hockey game with a buddy named Randy Downey ("Randy"). I also told him what I remembered she was wearing and then couldn't think of anything else that would help with the investigation. I didn't mention Glen because I didn't remember him coming to the Four Star on Saturday night November 11, 1995. A copy of my statement dated December 4, 1995 is attached as Exhibit "A".

6. I was not asked by the police officer during my first statement (Exhibit A) if I was drinking the night that I said that I saw Brenda. If I was asked whether I was drinking that night I would have told the police officer that I was drinking heavily. I have been an alcoholic since I was a teenager.

D. My second statement on August 10, 1998:

7. I quit my job at the Four Star in 1996 mostly because of my drinking and moved home to Newfoundland to be with my family. Between 1996 and the summer of 1998 I was contacted by a detective and asked to help them to convict Glen for the murder of Brenda.

8. I remember the Halifax Police Detective telling me that there was no question that Glen was a cold blooded killer who had brutally attacked Brenda and cut her throat and that if I did not help that a killer would go free. He kept telling me that Glen was a dangerous man and that the police had solved Brenda's murder.

9. The more the Detective spoke to me the more that I started to wonder if it were possible that Glen killed Brenda. I told the detective that I might have seen Glen at the Four Star at some point in the days before Brenda's murder. Then after speaking with the Detective more about the

case I told the Detective that I think that I may have seen Glen on the Saturday night before Brenda was killed during a hockey game I was watching with Randy and that I estimated that it may have been between 8 and 9 pm (November 11, 1995).

10. I remember going to the police station in St. Johns, Newfoundland to sign a written statement saying that Glen was at the Four Star between 8 and 9 pm on Saturday night November 11, 1995, the night before Brenda was killed. I also said that Brenda was at the Four Star later that night (November 11, 1995) between midnight and 1 am (Sunday November 12, 1995). I signed the statement even though I wasn't sure that it was accurate. A copy of my August 1998 statement is attached as Exhibit "B".

E. My meeting with prosecutors before my trial testimony:

11. In June of 1998 I was flown to Halifax to testify at Glen's trial. A day or so before I was supposed to testify I remember meeting with the prosecutors and the police to talk about my statement. I had been drinking heavily before this meeting and one of the men in the room, I think it was the prosecutor, said that I cannot have anything to drink before I came to court to testify.

F. My trial testimony:

12. On the day I testified I had been drinking heavily late into the night and into the morning before I left the hotel to go to the courthouse. I was extremely hung over and still suffered the effects of the previous night and early morning's drinking spree when I arrived at the courthouse and sat in the witness chair in front of the jury. A copy of my trial testimony is attached as Exhibit "C".

13. I tried the best that I could to remember what I had written in my statements when I testified although I wasn't sure that Glen was at the Four Star the night before Brenda died.

14. My trial testimony was confused. I was trying to remember the times and dates in the statements that the police and prosecutors had given to me to review the day before. In my

December 4, 1995 statement I said that Brenda showed up at the Four Star on Saturday night November 11, 1995 at 10 pm. In my August 10, 1998 statement I said that Glen showed up at the Four Star between 8 and 9 pm and that Brenda showed up between midnight and 1 am.

15. I testified that Brenda showed up at the Four Star at 10 pm and Glen showed up at midnight, not between 8 and 9 pm on Saturday November 11, 1995. This was because I was trying to remember times and dates from the written statements that I was given by the police and prosecutors the day before. The truth was that I thought that I remembered Brenda showing up Saturday night November 11 1995 at some point between 10 pm and 1:00 am. Glen was definitely not at the Four Star at any time between 9:00 pm on Saturday night November 11, 1995 or 1:00 am on Sunday morning November 12, or after. I am not even sure that Glen was there Saturday November 11, 1995 at all. My testimony at trial was not at all accurate.

16. When Glen's lawyer asked me in court whether Glen was at the Four Star I told him the truth which was that I wasn't sure if he came by or not. What I meant was that I wasn't sure if Glen was there on Saturday November 11, 1995 or Sunday November 12, 1995, the night before Brenda was killed.

17. The prosecutor asked me the same question and I told him the same thing. The truth was that I wasn't sure if he came by or not, meaning the same thing, I wasn't sure if Glen came by the Four Star on Saturday night November 11 1995 or anytime before Brenda was killed.

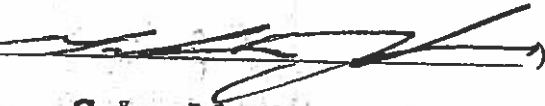
18. I have never been sure that Glen was at the Four Star Motel on Saturday night November 11, 1995 or before Brenda was killed on Sunday November 12, 1995. Had I not been suffering the after effects of my drinking binge when I testified at Glen's trial I may have been able to communicate my uncertainty to the jury. My trial testimony that Glen was at the Four Star that night (Saturday night November 11, 1995 to Sunday morning November 12, 1995) is not reliable and I am not at all comfortable having the court rely on me for the evidence that I gave.

19. I am swearing the contents of this affidavit in a completely sober state. I am also swearing this affidavit in support of Glen's application to the Minister of Justice under section

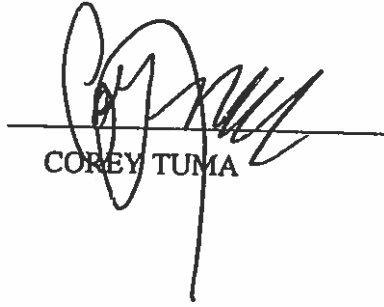
696 of the Criminal Code of Canada and for no other improper purpose.

Sworn before me this
26th day of June, 2012
at Fort MacMurray, Alberta

)
)
)
)



Graham Johnson
Barrister & Solicitor


COREY TUMA