



September 29, 2017

[our file: 3442-1]

Summary Report

Examination of Dry Brush Signature / Titling
on reverse side of presented “*Norval Morrissette*” painting

By request of Ugo Matulic of Calgary, Alberta, this analyst has undertaken an examination and comparative analysis of the dry brush signature, titling, dating and symbols as appearing on reverse side of the painting identified as

“Spirit Energy of Mother Earth” – 1974

presented as by artist *Norval Morrissette*

to make a determination as to authenticity of the dry brush signature, titling, dating and symbols on the reverse of that subject painting.

The undersigned examiner, as prescribed by the American College of Forensic Examiners Institute, understands his duty to serve the truth, to assist the judicial process if so called upon, and to not advocate for any party in this or any such undertaking. To that end, all statements in this report are true and objective determinations based upon forensic comparative analysis of the subject material.

Methodology and Basis of the Examination:

Professional practices of document examination pertinent to questioned handwriting and signatures have been applied in this undertaking, whereby stroke characteristics broadly categorized as letter formation, slant, slope, rhythm, pressure, compression / expansion and sequence of strokes – collectively referred to as handwriting or signature writing habit – are studied, characterized and compared to determine authenticity or authorship. Examinations for authenticity *may* utilize macroscopic, microscopic and high resolution digital scan analysis, as well as UV, IR, light table and other dedicated light source applications, all as may be appropriate to a specific analytic requirement.

The undersigned analyst has examined more than eighty *Norval Morrisseau* works, to date of this report, on canvas and other media, and is thereby intimately familiar with the character and stroke detail that was the authentic dry brush style and technique of signing the reverse side of *Norval Morrisseau* paintings. This analyst has drawn on that extensive experience and on comparative analysis with known *Norval Morrisseau* works variously bearing ink, pencil, and, most importantly and prolifically, dry brush signatures, handwritten titling, dating and symbols.

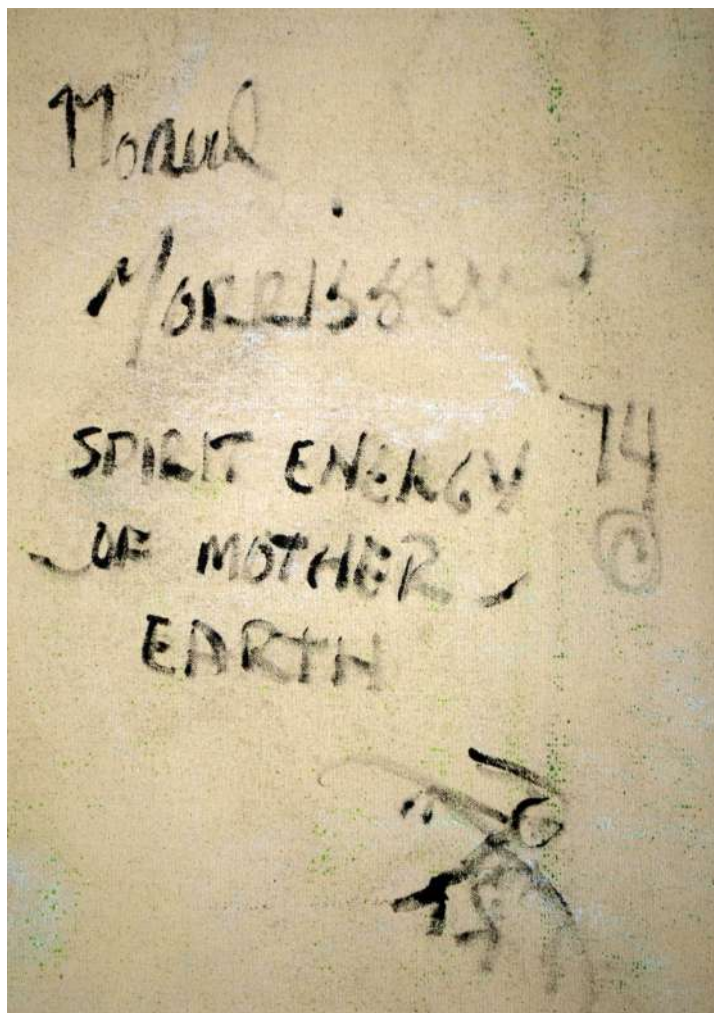
Paintings include, but are not limited to, non-disputed, Affidavit supported *Sacred Medicine Bear Changes* 1979, *Soaring Thunderbird* 1979; as well as *Shaman Envelopes Soma* 1976 and *Wheel of Life* 1979, both authenticated at 100% by document examiner Dr. Atul K. Singla.

Dr. Atul K. Singla's forensic handwriting analysis, authenticating *Norval Morrisseau*'s signature on *Wheel of Life* 1979 was upheld in *Hatfield v. Child* in a judgment of March 25, 2013, issued by Toronto Deputy Judge Paul J. Martial. It led him to dismiss the case which had claimed *Wheel of Life* 1979 was a forgery and to declare it a genuine *Morrisseau* (Ontario Small Claims Court file SC-09-07264-00).

Deputy Judge Martial's judgment, regarding the authenticity of the signature and painting, *Wheel of Life* 1979, was upheld in an Appeal hearing on December 6, 2013 by the Hon. Madam Justice Mary Ann Sanderson in the Ontario Superior Court of Justice/Divisional Court. She dismissed the Appeal, agreeing with Judge Martial that both the signature and the painting, *Wheel of Life* 1979, were genuine and authentically signed by *Norval Morrisseau* (Ontario Divisional Court file 2013 ONSC 7801, Dec.17, 2013).

The public Canlii reference number for this Divisional Court hearing can be found at: www.canlii.org/en/on/onscdc/doc/2013/2013onsc7801/2013onsc7801.htm

"Spirit Energy of Mother Earth" - 1974:



Examination:

The dry brush signature, titling, dating and symbols appearing on the reverse side of the subject painting, “*Spirit Energy of Mother Earth*” – 1979, was examined by this analyst as high resolution photographic images.

The referenced image of the signature, titling, dating and symbols (page 3 of this report) present good over all clarity, disclosing stroke characteristics of formation, rhythm, slant, slope, pressure, and compression / expansion of the dry brush work.

This analyst was able to enhance the clarity of the dry brush work to some degree through digital contrast and gamma adjustment of the referenced digital image, to the further support the examination and comparative analysis of the dry brush signature, titling and symbols on the reverse of that painting.

In the examination and comparison of that enhanced image, the following has been determined by this analyst:

- a)** To the degree that can be determined from the referenced image, the style, semi-cursive signature formation, rhythm, pressure, slant, slope, compression characteristics of the signature present as consistent within the *Morrisseau* style of the period.
- b)** To the degree that can be determined from the referenced image, the style, formation, rhythm, pressure, slant, slope and compression characteristics of the titling, including the 'dash' marks style and placement in the titling, present as consistent within the *Morrisseau* style of the period.
- c)** The style, formation and placement of the dating, the copyright symbol and the 'thunderbird' symbol representing the artist, present, individually and collectively, as consistent within the *Morrisseau* style of the period.
- d)** The relative placement of the dry brush work and the relative arrangement of the dry brush elements thereon present as consistent within the *Morrisseau* style of the period.

Conclusion of the Examination:

Solely on the basis of the examination of the referenced image of the dry brush signature, titling, dating and symbols as appearing and visible in its entirety on the reverse side of the subject painting, "*Spirit Energy of Mother Earth*" - 1974, and with due consideration of some limitation imposed in examination only of the image as referenced in this report, this analyst has determined that formation, rhythm, pressure, compression / expansion, slant, stroke sequence characteristics and relative placement of signature, titling, symbols (copyright; *optional* thunderbird), dating, and 'dash' marks – visible in its entirety to examination – are consistent and without contradiction of known works of dry brush signed paintings of Norval Morrisseau of the period.

It is therefore the finding of this analyst within a reasonable degree of certainty that the dry brush work on "*Spirit Energy of Mother Earth*" - 1974 is authentically and entirely that of Norval Morrisseau.

Evaluation Scale:

- High Degree of Certainty : *beyond reasonable doubt – 90%+*
- * Reasonable Degree of Certainty : *highly confident result – 80~90%*
- High Degree of Probability : *has strong support – 70~80%*
- Reasonable Degree of Probability : *support weighs in favour – 60~70%*
- Inconclusive : *insufficient / deficient material or documentation*

Note: A more definitive finding than the results and conclusion stated in this report may only be obtained from examination of the original dry brush 'signature' subject of this report.



incl: pg. 6, Statement of Qualifications

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Statement of Qualifications

Kenneth John Davies, B.Sc C.Ga CFC
Examiner, Questioned Documents / Handwriting & Signatures

As Founding Director of Hawkeye Studios, Grapho-Lab Services, Mr. Davies provides analysis of questioned documents for determination of authorship, authenticity, alteration, and for purposes of identity profiling. Mr. Davies brings to bear a culmination of more than thirty years of analytic document, handwriting and signature expertise applied in public, corporate and legal sectors. He has been court-qualified numerous times to provide expert witness testimony, called upon in civil and criminal cases, in Provincial courts, court of Queen's Bench and Supreme Court (BC) in Canada, has testified in the United States, and Mr. Davies has also been qualified in hearings before The Law Society of Alberta.

Mr. Davies began his professional career in the 70s, having received training and experience as an investigative claims and document examiner while in the employ of the Ontario Ministry of Revenue, Queens Park, Toronto. Thereafter, Ken provided investigative and document services for the insurance industry, while in the employ of the Insurers' Advisory Organization. Seeking to expand his credentials, Mr. Davies undertook formal studies of handwriting analysis and examination through the International Graphoanalysis Society, and received his certification as Graphoanalyst (C.Ga) in 1984. Since that time, he has enhanced his investigative document analysis skills through application in the field as well as through ongoing studies of graphoanalytical and forensic document examination techniques.

Mr. Davies is formally acknowledged as a forensic expert in the field of questioned documents/handwriting as Certified Forensic Consultant (CFC) and a studied and contributing Member of the American College of Forensic Examiners Institute (ACFEI). Ken has authored articles on handwriting analysis and examination, addressed classes in Police Science, and participated in handwriting identification research through the University of New York at Buffalo.

Mr. Davies has been relied upon to authenticate all manner of documents, handwriting and signatures in hundreds of cases, including wills, contracts, letters, cheques, land titles, graffiti, documents of antiquity, objects of art and other signed collectibles.

The numerous legal, investigative and other agencies, companies and individuals that have called upon the expertise of Kenneth J. Davies in the forensic examination of handwriting include, but are not limited to, the following: Burnett Duckworth Palmer, Burstall Winger, Butler Kazakoff, McLeod & Co., Fay & Archer, Fric Lowenstein & Co., Godinho Sinclair Shields, Aikins Macaulay Thorvaldson, Courtney Aarbo, Miles Davison, Bishop & McKenzie, Cleall Law, Grant R. Clay, Heenan Blaikie, DLBH Law, Lionel S. Matthews, Lirenman Peterson, Borden Ladner Gervais, Gledhill Laroque, Macleod Dixon, Mark A. Gottlieb, McLennan Ross, Merchant Law Group, Parlee McLaws, Piche & Co., Field Law, Miller Thomson, Richards Buell Sutton, Stephens & Holman, The Cooperators, RCMP, Alberta Justice, other Government, policing and investigative agencies...