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Report of Technical Findings on the Sailing Vessel

Zulu Time, Registration Number 628537

On November 07, 2020 on request to qualified person, emitted to my person by the Judge of instruction Andre ANGIBAUD of the TPI UVEA, 98600, we proceed to the operations described hereafter:

I- Experience of the qualified person

Elements of experience of the qualified person:

- o Owner of a 12m sailboat since 2017
- o Several sailings in the Pacific (Samoa, Fiji, NC)
- o Sailing since the age of 14 (Training course in the Glenans)

Knowledge of in-board diesel engine mechanics

II- Conditions of the operations

On December 07, 2020 at 15:45, we boarded the sailing boat Zulu Time, moored on the wharf buoy, accompanied by Chief Warrant Officer Dominique MULLER, Major Lionel BOULET, Mrs Annie NEGRAZ as interpreter and the Captain of the boat Michael SCHMIDT.

In the context of the search conducted by the investigators, we, the qualified person, proceeded to the findings of the damage on the sailing boat Zulu Time - registered in Honolulu - (according to the inscription on the transom)

A - The greement + Engine

1. observation: 1 shroud on the starboard side is broken,
weakening the mast, especially on starboard tack (i.e. when the
wind
Comes from the right)



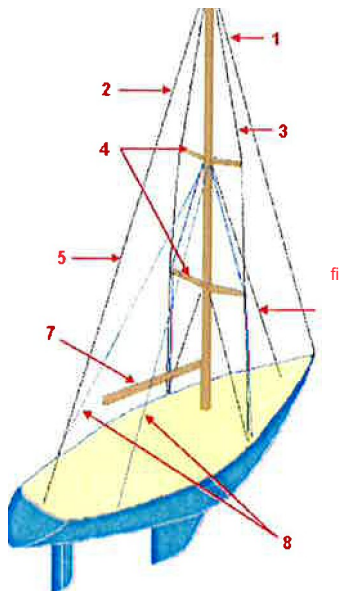
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2nd observation : the port runner is broken. It has been repaired with a rope. (cf diagram below)



These 2 points allow us to affirm that the boat suffered at sea, the Captain explaining to us, through the interpreter, that he faced a storm.

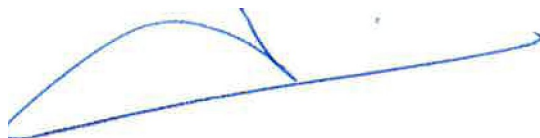
The rigging is very weak. The Captain tells us that even the headsail on the forestay (I on the diagram below) is finished and he can't unroll it completely to sail safely.



1 - Forestay supporting a furling foie (headsail)

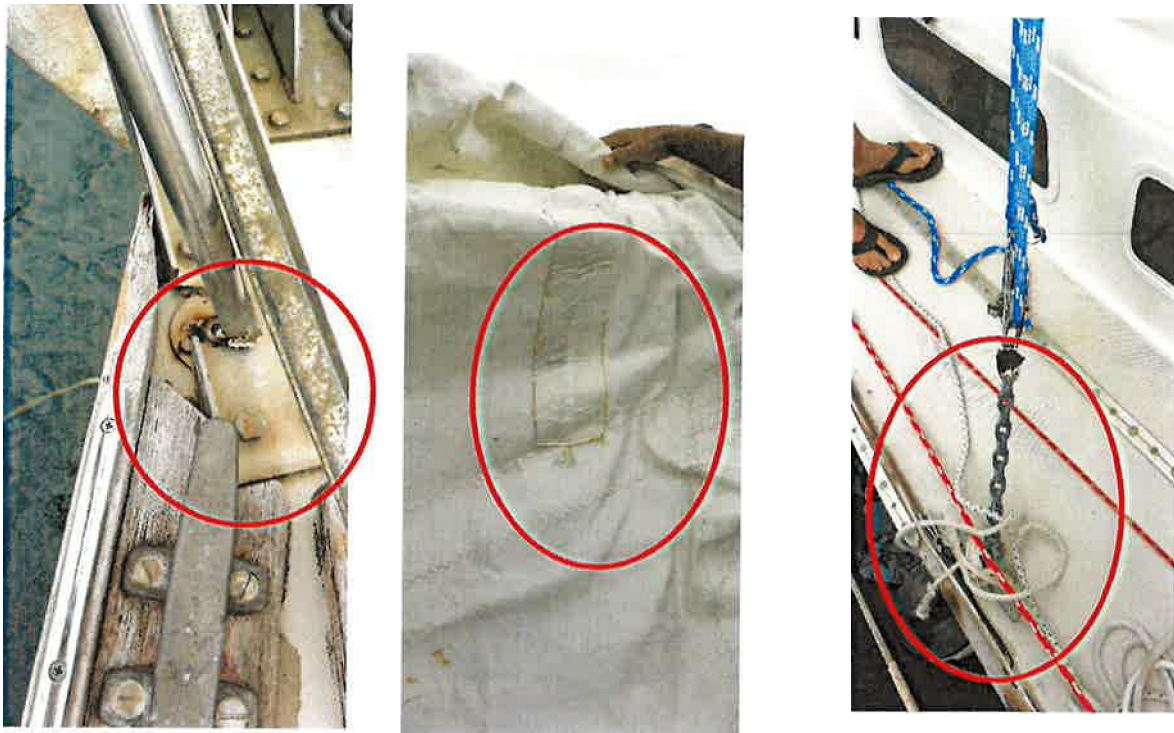
6 - Rigging struts that hold the mast

8 - Bastiques that stiffen the mast



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The front balcony is broken too, the Captain explains that it broke during the storm, as well as the Mainsail which was torn off and the mainsail hoist which was broken then repaired with 1 chain.



All these elements confirm that the boat is weakened by numerous damages.

Concerning the engine, the Captain tried to start it but the engine is blocked. It seems to have been overheated or **to have** been running **at a** slow speed (sail + engine) with bad lubrication.

There is nothing in the engine compartment that suggests a deliberate failure.

B - Tools of aviation :

The boat is equipped:

A JSB-196 Radiotelephone with a cut microphone wire A

Furino radar that doesn't work

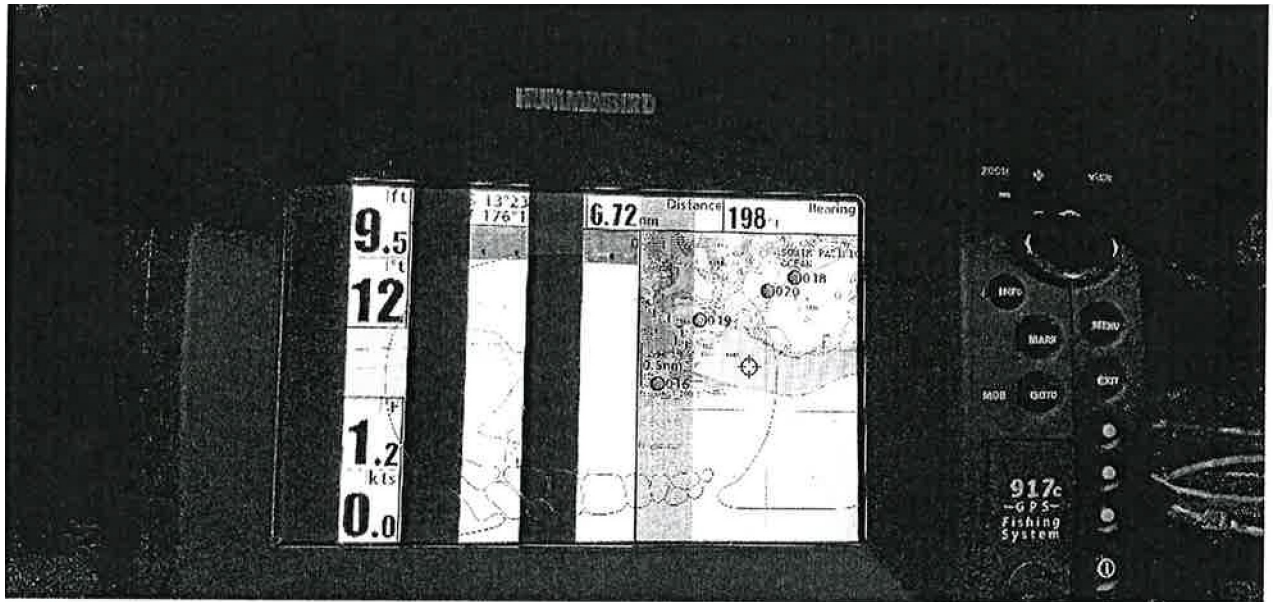
A VHF Horizon ECLIPSE with the microphone wire cut



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A HUMMINBIRD 917C GPS with a defective but readable screen to follow a route. The Captain showed us the way points to enter the Wallis lagoon. He told us not to record any track on his GPS because it is of no use to him in the open sea. This explanation is understandable. He told us about a "Garmin" that I did not see, which he also used for his navigation and about the Navionics application on his phone that was damaged at the beginning of their crossing.



Personally, apart from Navionics which I use, I don't know any of the devices on this boat, but ii There are many different brands and they work in similar ways.

Without a microphone, it is impossible to use a radio.

The GPS, even if defective, was working and allowed a precise approach to islands like Wallis with very precise maps detailing the shallows, the land, Jes amers, etc

The fact of not recording its traces can indeed be conceived insofar as that takes memory. In general we save our tracks when we want to redo routes later.

The Captain's explanation is therefore not illogical.

C - Anchors

The boat has 3 quality anchors:

- 1 anchor plate **at the** back (left picture)
- 1 secondary anchor type CQR (middle picture)
- 1 main anchor **with** unique shape (right picture)

The presence of 3 anchors corresponds **to** the norm on cruising yachts.

Please note that the electric windlass (motor allowing the electric lifting of the anchor) was not working. This engine problem was reported to me by the Captain.



III-Analysis

From these observations, it seems very likely that the boat has suffered major damage as a result of one or more of the Several storms (you don't go to sea with a boat in this condition). It was extremely weakened for sailing. The engine being out of order, the boat was hardly able to sail. maneuverable.

With my experience in the lagoon and a boat like this one, I find it very difficult to do a turn around in the lagoon or any other dangerous manoeuvre, but it is not impossible.

Our observation operations on Zulu Time end at 16:35.

Annexes:

Requisition to qualified person (amendment) of 07/12/2020

Letter of oath

Louis-Henry CHARDIGNY, 11/12/2020

COURT OF APPEAL OF NOUMEA

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DEMATA'UTU COURT OF FIRST INSTANCE

PRACTICE OF
M.ANGIBAUD
Investigating Judge

Public Prosecutor's Office number: 20/000392

Instruction No.: 120/00008

Procedure Suspicious disappearance

REQUEST TO QUALIFIED PERSON

(cancelling and replacing the request issued today to Mr Chardigny as being born on 5 December 1965 instead of 24 December 1965)

We, Andre ANGIBAUD, President of the Court of First Instance of MATA UTU, exercising the functions of Investigating Judge, being in our office at MATA UTU

In view of the open investigation into suspicious disappearances;

In view of articles 80-4, 74, 74-1, 92 to 108, 151 and following of the Code of Criminal Procedure;

In view of the risk of loss of evidence and research material; In view of the urgency;

Whereas the continuation of the search for the missing persons who are the subject of the present proceedings requires the carrying out of technical operations of findings and analyses concerning

on the elements of the vessel named "ZULU TIME" currently at anchor in

WALLIS.

That, in view of the urgency of the matter, due to the time that has already elapsed since the disappearances, and the risk of loss of clues that could guide the search, the absence of an expert in shipping and navigation, registered on the list of experts of the Court of Appeal of Noumea,

present in the territory or likely to be present in the near future, there are grounds for committing

Mr Louis Henry CHARDIGNY, born on 24 December 1965, residing at Afala, 98600 UVEA (Wallis and Futuna), having previously taken an oath as a qualified person, for the purpose of carrying out the following operations

MISSION:

We have the honour to ask you to take note of the documents in the file and more particularly

To proceed, during the search to be carried out within the framework of the rogatory commission delivered on December 5, 2020, to the Colonel Commander of the Gendarmerie of the Islands of Wallis and

Futuna, whose execution is ensured by the Research Brigade of Wallis and Futuna, to **make** all technical observations on the vessel named "ZULU TIME" currently at anchor in WALLIS, in order to find out if it is affected by damage, in particular to the mast, engine, or other navigational equipment; if so, then to seek information on the nature of the problem, as well as its consequences on the ship's navigation, location, communication and manoeuvring conditions, before anchoring in Wallis.

In general, make all observations useful **to** determine the material circumstances, time and place of the disappearances and record your observations in a report.

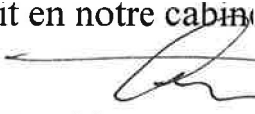
The qualified person who is not on the list of judicial experts before the Court of Cassation or a Court of Appeal shall swear an oath, in writing, to assist the justice in his honour and conscience.

The qualified person will submit, before 11/12/2020, a detailed report signed by him and mentioning the names and qualifications of the persons who assisted him, under his control and responsibility, in carrying out the operations he deemed necessary **for the** execution of the mission entrusted to him, in accordance with article 166 of the code of criminal procedure;

In view of the urgency and the impossibility of postponing the expertise operations and the filing of the conclusions for a period of ten days, the expertise operations may begin without delay;

Article R107 of the code of criminal procedure: when the estimated amount of the fees exceeds 460 euros (54,893 CFP francs), the designated expert must, before starting his work, inform the court which appointed him.

Fait en notre cabinet, and, on December 7, 2020


Le Président exerçant les fonctions the examining magistrate



COURT OF APPEAL OF NOUMEA

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DEMATA'UTU COURT OF FIRST INSTANCE

CABINET OF
MR. ANGIBAUD
Examining Magistrate

ANNEXE I

Public Prosecutor's Office number: 20/000392

Instruction No.: 120/00008

Procedure Suspicious disappearance

REQUEST TO QUALIFIED PERSON

(cancelling and replacing the request issued today to Mr Chardigny as being born on 5 December 1965 instead of 24 December 1965)

We, Andre ANGIBAUD, President of the Court of First Instance of MATA UTU, exercising the functions of Investigating Judge, being in our office at MATAUTU

In view of the open investigation into suspicious disappearances;
In view of articles 80-4, 74, 74-1, 92 to 108, 151 and following of the Code of Criminal Procedure;
In view of the risk of loss of evidence and research material; In view of the urgency;

Whereas the continuation of the search for the missing persons who are the subject of the present procedure requires the carrying out of technical operations of observations and analyses on the elements of the vessel named "ZULU TIME" which is currently at anchor in WALLIS.
That, in view of the urgency of the matter, due to the time that has already elapsed since the disappearances, and the risk of loss of clues that could guide the search, the absence of a ship and navigation expert on the list of experts of the Court of Appeal of Noumea, present in the territory or likely to be present in the near future, there are grounds for committing

Mr Louis Henry CHARDIGNY, born on 24 December 1965, residing at Afala, 98600 UVEA (Wallis and Futuna), having previously taken an oath as a qualified person, for the purpose of carrying out the following operations

MISSION:

We have the honour to ask you to take note of the documents in the file and more particularly
To proceed, at the time of the search to be carried out within the framework of the rogatory commission delivered
on December 5, 2020, to the Commandant of the Gendarmerie of the Wallis and

Futuna, whose execution is ensured by the Research Brigade of Wallis and Futuna, to make all technical observations on the vessel named "ZULU TIME" currently at anchor in WALLIS, in order to find out if it is affected by damage, in particular to
If so, please specify the nature of the damage and the consequences for the navigation conditions,
of location, communication and manoeuvring of the ship, before its anchorage in Wallis.

In general, make all observations useful to determine the material circumstances, time and place of the disappearances and record your observations in a report.

The qualified person who is not on the list of judicial experts at the Court of Cassation or at a Court of Appeal shall first swear an oath in writing to assist the judiciary in his honour and conscience.

The qualified person will submit, before 11/12/2020, a detailed report signed by him and mentioning the names and qualifications of the persons who assisted him, under his control and responsibility, in carrying out the operations he deemed necessary for the execution of the mission entrusted to him, in accordance with article 166 of the code of criminal procedure;

In view of the urgency and the impossibility of postponing the expertise operations and the filing of the conclusions for a period of ten days, the expertise operations may begin without delay;

Article RI 07 of the Code of Criminal Procedure: when the estimated fees exceed 460 euros (54,893 CFP francs), the designated expert must, before starting his work, inform the court that appointed him.

Fait en notre ~~cabin~~ and, on December 7, 2020

The Presiden

, of investigating judge



ANNEXE II D133

COURT OF APPEAL OF NOUMEA

COURT OF FIRST INSTANCE DEMATA'UTU

CABINET DEM. ANGIBAUD Investigating Judge

Public Prosecutor's Office number: 20/000392 Instruction No.: 120/00008

Procedure Suspicious disappearance

OATH OF AN EXPERT

The undersigned, Mr. C tfflo 't;,-(-N' /... ! /.../ e the)L/,tLjC:-/ a ,/ (LJJG). // Thread 11. / N...- /it // - J176 ,...; ,d11U-11 .

appointed as expert by order of 7 December 2020 in the proceedings for : Suspicious disappearances;

In view of article 160-2 of the Code of Criminal Procedure, Declares that he has taken cognizance of the mission entrusted to him, and accepts to carry out the said mission under the above-mentioned conditions,

I swear that I will faithfully carry out this mission and that I will support the cause of justice in my honour and conscience.

A DEMATA'UTU , le 7/12/20

THE EXPERT,

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COURT OF APPEAL OF NOUMEA

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DEMATA'UTU COURT OF FIRST INSTANCE

PRACTICE OF
M.ANGIBAUD
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Public Prosecutor's No.: 20/000392

Instruction No.: 120/00008

Procedure Suspicious disappearance

REQUEST TO QUALIFIED PERSON

We, Andre ANGIBAUD, President of the Court of First Instance of MATA UTU, acting as Investigating Judge, being in our chambers at MATA UTU

In view of the information opened on the charge of suspicious disappearances;
In view of articles 80-4, 74, 74-1, 92 to 108, 151 and following of the Code of Criminal Procedure;
In view of the risk of loss of evidence and research material; In view of the urgency;

Whereas the continuation of the search for the missing persons who are the subject of the present proceedings requires the carrying out of technical operations of findings and analyses concerning

on the elements of the vessel named "ZULU TIME" currently at anchor in WALLIS.

In view of the urgency of the matter, due to the time that has already elapsed since the disappearances and the risk of loss of evidence that might enable the search to be directed, and in view of the absence of a ship and navigation expert on the list of experts of the Court of Appeal of Noumea, who is either present in the territory or likely to be there within a short time, it is necessary to appoint a special expert to carry out the search:

Mr Louis Henry CHARDIGNY, born on 5 December 1965, residing at Afala, 98600 UVEA (Wallis and Futuna), previously sworn in as an expert, for the purpose of carrying out the following operations:

MISSION:

We have the honour to ask you to take note of the documents in the file and more particularly

To proceed, during the search to be carried out within the framework of the letter rogatory delivered on December 5, 2020, to the Colonel Commander of the Gendarmerie of the islands of Wallis and Futuna, whose execution is ensured by the Research Brigade of Wallis and Futuna, to all technical findings on the vessel "ZULU TIME" currently in the

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mouillage à WALLIS , afin de rechercher si celui-ci est affecté d'avaries, notamment au niveau du mat, du moteur, ou des autres organes ou appareils de navigation; dans l'affirmative

to seek information on the nature of the problem, as well as the consequences for the vessel's navigation, location, communication and manoeuvring conditions, prior to its anchorage in Wallis.

In general, make all observations useful to determine the material circumstances, time and place of the disappearances and record your observations in a report.

The qualified person who is not on the list of judicial experts at the Court of Cassation or at a Court of Appeal shall first swear an oath in writing to assist the judiciary in his honour and conscience.

The qualified person shall submit, before 11/12/2020, a detailed report signed by him and mentioning the names and qualifications of the persons who assisted him, under his control and supervision, in the performance of his duties.

The court may, in accordance with article 166 of the code of criminal procedure, carry out the operations it deems necessary for the execution of the mission entrusted to it;

In view of the urgency and the impossibility of postponing the expertise operations and the filing of the conclusions for a period of ten days, the expertise operations may begin without delay;

Article R1 07 of the code of criminal procedure: when the estimated fees exceed 460 euros (54,893 CFP francs), the designated expert must, before beginning his work, inform the court that appointed him.

Fait en notre cabinet, December 7, 2020

The President

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COURT OF APPEAL OF NOUMEA

DEMATA'UTU COURT OF FIRST INSTANCE

PRACTICE OF
M.ANGIBAUD
Investigating Judge

Public Prosecutor's Office number: 20/000392

Instruction No.: 120/00008

Procedure Suspicious disappearance

REQUEST TO QUALIFIED PERSON

(cancelling and replacing the request issued today **to** Mr Kalinovski instead of Kalinowski)

We, Andre ANGIBAUD, President of the Court of First Instance of MATA UTU, exercising the functions of Investigating Judge, being in our office at MATA UTU

In view of the open investigation into suspicious disappearances;

In view of articles 80-4, 74, 74-1, 92 **to** 108, 151 and following of the Code of Criminal Procedure;

In view of the risk of loss of evidence and research material; In view of the urgency;

Whereas the continuation of the search for the missing persons who are the subject of the present proceedings requires the carrying out of technical operations of findings and analyses concerning

on the elements of the vessel named "ZULU TIME" currently at anchor **in**

WALLIS.

That, in view of the urgency of the time that has already elapsed since the disappearances, and the risk of loss of evidence that could guide the search, the absence of an expert on the list of experts of the Court of Appeal of Noumea present on the territory or likely to be found there within a short time, there is reason to commit:

Mr. KALINOWSKI, Brigade de renseignements et d' investigations judiciaires, Caseme Meunier, BP R3, 98851 NOUMEA (New Caledonia), sworn in beforehand, as a qualified person, for the purpose of carrying out the following operations:

MISSION:

We have the honour to ask you to take note of the documents in the file and more particularly

To proceed, during the search **to be** carried out within the framework of the rogatory commission delivered on December 5, 2020, **to** the Commandant of the Gendarmerie of the Wallis and Futuna Islands



Futuna, whose execution is ensured by the Research Brigade of Wallis and Futuna, has all technical observations on the vessel named "ZULU TIME" currently at anchor in WALLIS, as well as on the furniture, objects, equipment, furnishings and effects therein.

The purpose of this project is to provide a framework for the development of a new and more effective method of dealing with the problem of the death of a child, in particular by searching for or revealing any traces of blood; in the event of the discovery of traces of blood, to take samples or place under seal the objects or effects conceived and to hand them over to us as soon as possible with a view to their subsequent use. -

In general, make any observations that are relevant to the determination of the truth and record your observations in a report.

The qualified person who is not on the list of judicial experts at the Court of Cassation or at a Court of Appeal shall first swear an oath in writing to assist justice in honour and conscience.

The qualified person shall submit, before 11/12/2020, a detailed report signed by him and mentioning the names and qualifications of the persons who assisted him, under his control and supervision.

responsibility, for carrying out the operations deemed necessary by him for the execution of the mission entrusted to him, in accordance with article 166 of the code of criminal procedure;

In view of the urgency and impossibility of postponing the expertise operations and the filing of the conclusions for a period of ten days, the expertise operations may begin without delay;

Article R1 07 of the code of criminal procedure: when the estimated amount of the fees exceeds 460 euros (54,893 CFP francs), the designated expert must, before starting his work, inform the court that appointed him.

Done in our December 2020

The Presiden---



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COURT OF APPEAL OF NOUMEA

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DEMATA'UTU COURT OF FIRST INSTANCE

PRACTICE OF
M.ANGIBAUD
Investigating Judge

Public Prosecutor's Office number: 20/000392

Instruction No.: 120/00008

Procedure Suspicious disappearance

REQUEST TO QUALIFIED PERSON

We, Andre ANGIBAUD, President of the Court of First Instance of MATA UTU, exercising the functions of Investigating Judge, being in our office at MATA UTU

In view of the information opened on the charge of suspicious disappearances;
In view of articles 80-4, 74, 74-1, 92 to 108, 151 and following of the Code of Criminal Procedure;
In view of the risk of loss of evidence and research material; In view of the urgency;

Whereas the continued search for the missing persons who are the subject of the present The procedure requires technical surveys and analyses to be carried out on parts of the vessel "ZULU TIME" currently at anchor in WALLIS.

That in view of the urgency of the matter, due to the time that has already elapsed since the disappearances, and the risk of loss of clues to guide the search, and the absence of an expert on the list of experts of the Court of Appeal of Noumea, either present in the territory or likely to be there in the near future, it is necessary to make a decision:

Mr. KALINOVSKI, Brigade de renseignements et d' investigations judiciaires, Caseme Meunier, BP R3, 98851 NOUMEA (New Caledonia), sworn in beforehand, as an expert, for the purpose of carrying out the following operations:

MISSION:

We have the honour to ask you to take note of the documents in the file and more particularly To proceed, during the search to be carried out within the framework of the rogatory commission delivered on December 5, 2020, to the Commandant of the Gendarmerie of the islands of Wallis and Futuna, the execution of which is ensured by the Research Brigade of Wallis and Futuna, to all technical observations on the vessel named "ZULU TIME" being currently in the

(a) to carry out a search for traces of blood, and in the event of the discovery of traces of blood, to take samples OR to place the traces under seal; (b) to carry out a search for traces of blood, and in the event of the discovery of traces of blood, to take samples OR to place the traces under seal.

objects or effects designed to be handed over to us as soon as possible with a view to their exploitation later.

In general, make all observations useful for the determination of the circumstances of the disappearances in question and record your observations in a report.

The qualified person who is not on the list of judicial experts before the Court of Cassation or a Court of Appeal shall first take an oath, in writing, to assist the justice in his honour and conscience.

The qualified person will submit, before 1 December 2020, a detailed report signed by him and mentioning the names and qualifications of the persons who assisted him, under his control and responsibility, in carrying out the operations he deemed necessary for the execution of the mission entrusted to him, in accordance with article 166 of the code of criminal procedure;

In view of the urgency and the impossibility of postponing the expertise operations and the filing of the conclusions for a period of ten days, the expertise operations may begin without delay;

Article RI 07 of the code of criminal procedure: when the estimated amount of the fees exceeds 460 euros (54,893 CFP francs), the designated expert must, before starting his work, inform the court that appointed him.

Done in our office, December 7, 2020

Le Président exerçant les fonctions de investigating judge

