SUMMARY OF REASONS FOR DECISION

Under the Films, Videos, and Publications Classification Act 1993 (FVPC Act)

HEADNOTE

Title of publication:

Overlord

Other known title(s):

Not stated

OFLC ref:

1800390.000

Medium:

Film

Classification:

Objectionable except if the availability of the publication is restricted

to persons who have attained the age of 16 years.

Descriptive note:

Graphic violence, horror, offensive language & content that may

disturb

Display conditions:

None

Overlord is an American film that melds the war and fantasy horror genres together. It is approximately 110 minutes in duration, and the dialogue is primarily in English, but French and German are also spoken on occasion.

The film is set in Normandy, France on the eve of the D-Day landings – also known as Operation Overlord. A band of American paratroopers led by Corporal Ford parachute behind enemy lines. Their mission is to take out a German radio tower in a small town by the coast. Only four soldiers (Ford plus Privates Boyce, Tibbert and Chase) make it to the town but Ford is determined to make the mission a success. A young French woman (Chloe) helps the paratroopers by hiding them in her attic but the German commander of the tower (Wafner) gets in the way. Corporal Boyce (who happens to be the group's moral compass and audience surrogate) discovers that the basement of the tower also houses a secret Nazi lab that has been experimenting on the townspeople. A lake under the town contains a serum that transforms the dead into horrifying super creatures. He advocates that the group destroy the lab making the mission all the more dangerous.

The film deals with matters of violence, horror, cruelty and sex.

The film begins with an intense sequence that highlights the horrors of war. The transport plane the paratroopers are on comes under heavy fire. Boyce is thrust out of the plane just as it explodes and freefalls through the sky as it is lit up by anti-aircraft fire and explosions. He lands in a river and has to fight the ropes of his parachute to get to the surface. Boyce comes across his sergeant who is executed by a group of Nazi soldiers by the river bank. Ford stops him from intervening as it would have inevitably led to Boyce's death as well.

The film slowly transitions into a violent survival horror once the soldiers reach the village. A strange animal carcass and the grotesque appearance of Chloe's aunt signal the horrors that await. The pacing of the film ratchets up the tension as Boyce and the audience gradually become aware

of what it is going on in the tower. The underground bunker setting of the lab and the score add to the unsettling atmosphere of the film. Some of this tension is relieved through effective jump scares.

A Nazi doctor is experimenting on the townspeople to perfect the serum in order to create Nazi super soldiers. Boyce comes across several of the doctor's experiments when he gets trapped in the lab. These include the decapitated head of a woman that still has her vertebral column attached. The head is conscious and asks for help. Suspended bags contain bodies that are presumably bathed in lake water. Boyce unzips one bag and a head pops out and pleads for help. He also comes across an allied soldier who has a gigantic needle inserted into his abdomen presumably to pump the lake water into him. Boyce tortuously removes the needle and helps the soldier escape. Screaming and wailing voices in the lab allude to psychological and physical torture. A chase sequence in the lab involving Chloe effectively combines action, violence and horror elements as she escapes the clutches of a grotesque reanimated human creature.

The film deals with torture, the infliction of serious physical harm and acts of significant cruelty to a high extent and degree.

Cruelty is inherent in the actions of the Germans who abduct townspeople for their experiments. For example, a man is taken at night and a woman (presumably his wife) who is hysterical is executed. Townspeople who have had experiments conducted on them are burnt to death (off screen) by flamethrowers. Chloe's aunt has escaped death but is now a grotesquely disfigured and sickly woman following her time at the lab. She is later killed by German soldiers. The conduct of the Germans toward the townspeople is certainly degrading and dehumanising but is well contextualised within a fantasy action horror set in World War II. The German characters in the film are one dimensional villains.

Gun violence is a regular feature in the film with people being shot and killed with handguns or machine gun fire. In the majority of instances bullet strikes are seen as brief sprays of blood and the victim falls down. The strongest depiction of gun violence involves Wafner shooting Chase. The other soldiers expose his chest and try to put pressure on the actively bleeding wounds to no avail. He dies with his chest smeared in blood. Other forms of violence include Chloe torching one of the reanimated humans with a flame thrower, and a grenade exploding in the mouth of German soldier.

Physical violence is also a regular feature in the second half of the film and is far more impactful than the gun violence. It is associated with a high level of cruelty, and is graphic and gratuitous at times.

Ford repeatedly punches Wafner in the face with a knuckle duster after he is strung up by his arms. Most of the blows occur off screen and Wafner's face is only seen briefly but the assault is clearly vicious and extremely cruel. Ford's motivation is to get Wafner to divulge information about the lab so his conduct is morally ambiguous. Boyce tries to intervene and states Ford's actions make him no different to the Nazis but he is considered naïve and ordered to leave. Ford's conduct is consistent with his characterisation which emphasises his 'complete the mission at any cost' attitude. Boyce's attempted intervention distances the viewer from being complicit in Ford's questionable conduct mitigating some of the harm. However, Boyce also ends up resorting to graphic violence later in the film but we are clearly in the realm of a fantasy movie at this stage and Boyce's actions are justified.

Boyce reanimates Chase after he is killed by Wafner by injecting him with the serum. Chase undergoes a monstrous transformation as his skeleton contorts. He is filled with rage and attacks Boyce and the others. Boyce has no option but to stop him by repeatedly crushing his skull with the butt of a rifle. The head ends up being a gruesome bloody pulp.

Wafner manages to escape the soldiers and a shootout takes place. He manages to get back to the lab and injects himself with two syringes of serum. He slowly reveals that he has been shot in the face. Half his lower face is missing with his jaw and teeth exposed giving him a gruesome and sinister appearance. He becomes impervious to pain and gains super strength. The film culminates with a lengthy fight scene between Ford and Wafner in the lab. Ford is initially outmatched by the transformed Wafner and ends up being suspended through his upper abdomen with a large meat hook. Boyce intervenes and shoots at Wafner with no discernible effect. Ford manages to excruciatingly unhook himself and then injects himself with the serum as a means of staying alive to defeat Wafner. They manage to halt Wafner by exploding a gas cylinder next to him which throws him into the lake. Having injected himself with the serum, Ford decides to sacrifice himself and destroy the lab along with the remaining experimental subjects that include Wafner and several other German super soldiers.

Sexual violence is depicted to a limited extent in the film. Wafner gets Chloe to submit to his sexual advances by threatening to take her young brother to the lab. It is clear that this is not the first time he has used his position to take advantage of her. Chloe is clearly disgusted by the situation but has no option but to acquiesce. Wafner kisses her aggressively and sits her on a table. He has his head in between her legs when Boyce stops him from proceeding by holding a rifle to his head. In a later scene, Chloe lures a German soldier from his unit by running away. He wrestles her to the ground and is about to sexually assault her when he is stopped by Ford and Boyce. This was part of their plan to separate him so that they could get him and his motorbike alone.

The film contains regular use of highly offensive language, in particular use of the word "fuck" and its derivatives. The language is occasionally used in an aggressive context such the phrase "Fuck you". Such language is likely to have an inuring effect on young impressionable viewers who are likely to emulate the language and be at risk of harms such as social alienation.

The dominant effect of Overlord is an entertaining genre film that combines war action and fantasy horror. Fans of both genres are likely to enjoy the film. The high extent and degree of graphic bloody violence and associated cruelty means the unrestricted availability of the film is likely to be injurious to the public good. The violence overshadows the elements of horror with regards to the classification. The gratuitous and graphic detail is likely to be shocking and disturbing to children and young teens. It is also presented in an exciting and entertaining manner which is likely to desensitise impressionable younger viewers to such conduct. Furthermore, the morally ambiguous nature of the cruel and violent conduct carried out by Ford, which is largely presented as being justifiable, means a high level of maturity and experience is required to be able to properly contextualise it. Older teens and adults are likely to have the maturity to contextualise all the elements in this film as a fantastical horror in a real world setting. Taking into account these considerations and the right to freedom of expression as stated in the New Zealand Bill of Rights Act, the least restrictive classification that will prevent injury to the public good is R16.

Note:

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CONSIDERATION SHEET

OFLC ref:

1800390.000

Submission channel:

s12(1)

Title of publication:

Overlord

Other known title:

Not stated

Medium:

Film

Distributor:

Paramount Pictures International New Zealand

Director:

Julius Avery

Producer:

J.J. Abrams Lindsey Weber

Country of origin:

United States

Language:

English, German, French

Applicant:

Film & Video Labelling Body

Examination transcript No:

734

Examination date:

30 August 2018

Other identifying information:

OFLC Ref: 1800390,000

COMPONENTS OF FILM

Components of film originally examined:

	Components	Running time
Feature(s):	Overlord	109:39
Total running time:		109:39

Components of film excised:

CONSIDERATION OF THE PUBLICATION UNDER THE FILMS, VIDEOS, AND PUBLICATIONS CLASSIFICATION ACT 1994 (FVPC ACT)

Description

Overlord is an American film that melds the war and fantasy horror genres together. It is approximately 110 minutes in duration, and the dialogue is primarily in English, but French and German are also spoken on occasion.

The film is set in Normandy, France on the eve of the D-Day landings – also known as Operation Overlord. A band of American paratroopers led by Corporal Ford parachute behind enemy lines. Their mission is to take out a German radio tower in a small town by the coast. Only four soldiers (Ford plus Privates Boyce, Tibbert and Chase) make it to the town but Ford is determined to make the mission a success. A young French woman (Chloe) helps the paratroopers by hiding them in her attic but the German commander of the tower (Wafner) gets in the way. Corporal Boyce (who happens to be the group's moral compass and audience surrogate) discovers that the basement of the tower also houses a secret Nazi lab that has been experimenting on the townspeople. A lake under the town contains a serum that transforms the dead into horrifying super creatures. He advocates that the group destroy the lab making the mission all the more dangerous.

Section 3(1): the Subject Matter Gateway

Does the publication describe, depict, express, or otherwise deal with matters such as:

✓ Sex¹

The film depicts the use of coercion and the threat of violence to get a woman to acquiesce to sexual conduct. This will be considered under s 3(2)(b).

✓ Horror

The film begins with an intense sequence that highlights the horrors of war. The transport plane the paratroopers are on comes under heavy fire. Boyce is thrust out of the plane just as it explodes and freefalls through the sky as it is lit up by anti-aircraft fire and explosions. He lands in a river and has to fight the ropes of his parachute to get to the surface. Boyce comes across his sergeant who is executed by a group of Nazi soldiers by the river bank. Ford stops him from intervening as it would inevitably led to Boyce's death as well.

The film slowly transitions into a violent horror survival once the soldiers reach the village. An animal carcass and the grotesque appearance of Chloe's aunt signal the horrors that await. The pacing of the film ratchets up the tension as Boyce and the audience gradually become aware of

¹ Note that a publication can be found to deal with a matter such as sex if (a) the publication is or contains 1 or more visual images of 1 or more children or young persons who are nude or partially nude; and (b) those 1 or more visual images are, alone, or together with any other contents of the publication, reasonably capable of being regarded as sexual in nature. (s 3(1A)).

Section 3(1): the Subject Matter Gateway

what it is going on in the tower. The setting of the lab in the basement and the score add to the unsettling atmosphere of the film. Some of this tension is relieved through effective jump scares. A Nazi doctor is experimenting on the townspeople to perfect the serum to create Nazi super soldiers to help the Germans win the war. Boyce comes across several of the doctor's experiments when he gets trapped in the lab. These include the decapitated head of a woman that still has her vertebral column attached. The head is conscious and asks for help. Suspended bags contain bodies that are presumably bathed in lake water. Boyce unzips one bag and a head pops out that pleads for help. He also comes across an allied soldier who has a gigantic needle inserted into his abdomen presumably to pump the lake water into him. Boyce tortuously removes the needle and helps the soldier escape. Screaming and wailing voices in the lab implies both psychological and physical torture. A chase sequence in the lab in the lab involving Chloe effectively combines action, violence and horror elements as she escapes the clutches of a grotesque reanimated human creature.

Elements of horror are also associated with the violence and will be addressed in 3(3)(a)(i).

— Crime

Cruelty

Cruelty

Cruelty is inherent in the actions of the Nazi's who abduct townspeople for their experiments. For example, a man is taken at night and a woman (presumably his wife) who is hysterical is executed. Townspeople who have had experiments conducted on them are burnt to death (off screen) by flamethrowers. Chloe's aunt has escaped death but is now a grotesquely disfigured and sickly woman following her time at the lab. She is later killed by German soldiers.

Extreme cruelty is also associated with some instances of violence and will be addressed in s 3(3)(a)(i).

Violence

Matters of violence will be addressed under s 3(3)(a)(i).

Section 3(2): Certain publications are "deemed to be objectionable"

None of the above, <u>proceed to s 3A and s 3B</u>

Does the content of the publication raise any of these issues? If it does, discuss, and conclude whether the publication promotes or supports, or tends to promote or support, that matter.

s 3(2)(a) The exploitation of children or young persons for sexual purposes

Section	3(2): Certain publications are "deemed to be objectionable"
\checkmark	s 3(2)(b) The use of violence or coercion to compel a person to participate in, or submit to, sexual conduct
the film p	the film depicts a man coercing a woman into sexual conduct there is no suggestion that romotes or supports or tends to promote or support the matter. Therefore the conduct is ropriately addressed in s 3(3)(a)(ii).
_	s 3(2)(c) Sexual conduct with or upon the body of a dead person
	2 (2)(J) Th
	s 3(2)(d) The use of urine or excrement in association with degrading or dehumanising conduct or sexual conduct
_	s 3(2)(e) Bestiality
	s 3(2)(f) Acts of torture or the infliction of extreme violence or extreme cruelty
	(7)
_	None of the above
If the pub to remove	lication promotes or supports (or tends to) any of these matters, could excisions be used the problematic content?
	Yes. Consider the rest of the publication under s 3(3) and s 3(4) and discuss the required excisions in the conclusion.
	No. The publication is deemed to be objectionable. <u>Proceed to Conclusion</u>

Section 3(3): Matters to be given particular weight

If any of the following criteria apply, discuss in terms of the extent and degree to which, and the manner in which, the publication:

s 3(3)(a)(i) Deals with the infliction of torture, serious physical harm, significant cruelty

Section 3(3): Matters to be given particular weight

The film deals with the infliction of torture, serious physical harm and significant cruelty to a high extent and degree.

Gun violence is a regular feature in the film with people being shot and killed with handguns or machine gun fire. In the majority of instances bullet strikes are seen as brief sprays of blood and the victim falls down. The strongest depiction of gun violence involves Wafner shooting Chase. The other soldiers expose his chest and try to put pressure on the actively bleeding wounds to no avail. He dies with his chest smeared in blood. Other forms of violence include Chloe torching one of the reanimated humans with a flame thrower, and a grenade exploding in the mouth of German soldier.

Physical violence is also a regular feature of the film and is far more impactful than the gun violence. It is associated with a high level of cruelty, and is graphic and gratuitous at times.

Ford repeatedly punches Wafner in the face with a knuckle duster after he is strung up by his arms. Most of the blows occur off screen and Wafner's face is only seen briefly but the assault is clearly vicious and extremely cruel. Ford's motivation is to get Wafner to divulge information about the lab so his conduct is morally ambiguous. Boyce tries to intervene and states Ford's actions make him no different than the Nazi's but he is considered naïve and ordered to leave. Ford's conduct is consistent with his characterisation which emphasises his complete the mission at any cost attitude. Boyce's attempted intervention distances the viewer from being complicit in Ford's questionable conduct mitigating some of the harm. However, Boyce also ends up resorting to graphic violence later in the film which dilutes the anti-violence characterisation we have come to associate with him.

Boyce reanimates Chase after he is killed by Wafner by injecting him with the serum. Chase undergoes a monstrous transformation as his skeleton contorts. He is filled with rage and attacks Boyce and the others. Boyce has no option but to stop him by repeatedly crushing his skull with the butt of a rifle. The head ends up being a gruesome bloody pulp.

Wafner manages to escape the soldiers and a shootout takes place. He manages to get back to the lab and injects himself with two syringes of serum. He slowly reveals that he has been shot in the face. Half his lower face is missing with his jaw and teeth exposed giving him a gruesome and sinister appearance. He becomes impervious to pain and gains super strength. The film culminates with a lengthy fight scene between Ford and Wafner in the lab. Ford is initially outmatched by the transformed Wafner and ends up being suspended through his upper abdomen with a large meat hook. Boyce intervenes and shoots at Wafner with no discernible effect. Ford manages to excruciatingly unhook himself and then injects himself with the serum as a means of staying alive to defeat Wafner. They manage to halt Wafner by exploding a gas cylinder next to him which throws him into the lake. Having injected himself with the serum, Ford decides to sacrifice himself and destroy the lab along with the remaining experimental subjects that include Wafner and several other German super soldiers.



s 3(3)(a)(ii) Deals with sexual violence or sexual coercion, or violence or coercion in association with sexual conduct

Wafner gets Chloe to submit to his sexual advances by threatening to take her young brother to the lab. It is clear that this is not the first time he has done this. Chloe is clearly disgusted by the

Section 3(3): Matters to be given particular weight
situation but has no option but to acquiesce. Wafner kisses her aggressively and sits her on a table. He has his head in between her legs when Boyce stops him from proceeding by holding a rifle to his head. In a later scene, Chloe lures a German soldier from his unit by running away. He wrestles her to the ground and is about to sexually assault her when he is stopped by Ford and Boyce. This was part of their plan to separate him so that they could get him and his motorbike alone.
s 3(3)(a)(iii) Deals with other sexual or physical conduct of a degrading or dehumanising or demeaning nature
- s 3(3)(a)(iv) Deals with sexual conduct with or by children or young persons
s 3(3)(a)(v) Deals with physical conduct in which sexual satisfaction is derived from inflicting or suffering cruelty or pain
- s 3(3)(b) Exploits the nudity of children or young persons
s 3(3)(c) Degrades or dehumanises or demeans any person
The conduct of the German soldiers toward the townspeople is certainly degrading and dehumanising but is well contextualised in a fantasy horror set in World War II.
- s 3(3)(d) Promotes or encourages criminal acts or acts of terrorism
s 3(3)(e) Represents that members of any particular class of the public are inherently inferior to other members of the public by reason of an characteristic that is a prohibited ground of discrimination specified in s 21(1) of the Human Rights Act 1993
The publication doesn't deal with any s 3(3) criteria

OFLC Ref: 1800390.000

	n 3A:		
Does the degree th	publication contain highly offensive language to such an extent or lat it is likely to seriously harm viewers under a certain age?		Yes
Discuss (any highl	including any necessary consideration of offensive language that is no y offensive language which is not likely to cause serious harm to youn	ot 'higl	ly offensive'
you". Suc	contains regular use of highly offensive language, in particular use of tives. The language is occasionally used in an aggressive context such in language is likely to have an inuring effect on young impressionable mulate the language and be at risk of harms such as social alienation.	the nl	tace "Fuels
Section	3R.		

Does the	publication contain any of the following material?		
	Harm to a person's body, including self-inflicted death, self-mutilation or harmful bod modification (other than any already discussed under s 3(3) criteria).		
	Conduct that, if imitated, would pose a risk of serious harm to self than any already discussed under s 3(3) criteria).	or oth	ers (other
		<u></u>	
_	Physical conduct of a degrading, dehumanising or demeaning natural already discussed under s 3(3) criteria).	e (oth	er than any
——————————————————————————————————————	Visual images of a person's body that alone or with any other conte publication are of a degrading, dehumanising or demeaning nature (already discussed under s 3(3) criteria).	ents of (other	the than any

None of the above

Section 3B:

Does the extent and degree of the material make the publication likely to cause any of the following harms to young people under a specified age because of their general levels of emotional and intellectual development and maturity?

- Cause them to be greatly disturbed or shocked
- Increase significantly the risk of them killing, or causing serious harm to, themselves, others, or both
- Encourage them to treat or regard themselves, others, or both, as degraded, dehumanised or demeaned.

Discuss likely harm/s or why the content is unlikely to cause these harms:

Submi	issions & consultations (if applicable)
_	Consultation or enquiries required under s 21
	Submissions received from internal land
	Submissions received from interested parties under s 20

Any other information to be taken into account (if relevant) (e.g. previous OFLC decisions, decisions of other classification bodies, research, books, articles, reviews, etc.)	********

Conclusion

- In addition to all of the above matters, consider relevant s 3(4) matters: the dominant effect of the publication, character of the publication (including any merit, value or importance), impact of the medium, intended or likely audience, intended purpose, and any other relevant circumstances relating to its use
- Identify any likely injury to the public good from the unrestricted availability of the publication
- Determine the classification, taking into account the New Zealand Bill of Rights Act 1990 (NZBORA) and the need to impose the least restrictive limitation on the right to freedom of expression that will prevent injury to the public good

The dominant effect of *Overlord* is an entertaining genre film that combines war action and fantasy horror. Fans of both genres are likely to enjoy the film. The extent and degree graphic bloody violence and associated cruelty means the unrestricted availability of the publication is likely to be injurious to the public good. The violence in the film overshadows the elements of horror with regards to the classification. The gratuitous and graphic detail of the violent conduct is likely to be shocking and disturbing to children and young teens. The violence is also presented in an exciting and entertaining manner which is likely to desensitise impressionable younger viewers to such conduct. Furthermore, the morally ambiguous nature of the cruel and violent conduct carried out by Ford, which is largely presented as being justifiable, means a high level of maturity and experience is required to be able to properly contextualise it. The presence of highly offensive language also supports a restriction. Older teens and adults are likely to have the maturity to contextualise all the elements in this film as a fantastical horror in a real world setting. Taking into account these considerations and the right to freedom of expression as stated in the NZBORA, the least restrictive classification that will prevent injury to the public good is R16.

Classification
R16
Descriptive note to cover: Graphic violence, cruelty, horror and offensive language
Excisions (if applicable)
Display conditions (restricted publications only)
Are display conditions necessary?

	$\overline{\mathbf{A}}$	No						
Reason for any display conditions:				110	<u> </u>	<u> </u>	,_	
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