

# Doctor: No findings in rape case, doesn't rule it out

By **Phill Leon Guerrero**  
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The physician who examined a woman who is accusing Jon Tuck of rape did not find diagnostic proof of a sexual assault, but said it was "logical to assume" minor injuries he observed could have occurred as a result of what she alleged.

Dr. William Weare testified during the second day of the former UFC fighter's trial. Weare is a forensic examiner at the Healing Hearts Crisis Center and has been with the organization for at least 20 years, he said.

In March 2020, he conducted an exam on the 22-year-old woman following her reporting of the crime. He documented a mild abrasion about a centimeter large and red, irritated skin in her genital area. Weare was asked by prosecutor Richelle Canto about the possible causes for the latter.

"Anything that irritates that area can cause this," he testified, but added that he also factored what the patient's reported the sexual assault along with pain and discomfort.

"One plus one equals two, in this case," Weare said.

However, because there were no other injuries – particularly deep lacerations, tears or bleeding, Weare reported there were "no positive findings" from the exam. About half of the cases he deals with ultimately have that conclusion, he testified.

"For the purposes of coming to a conclusions, I can't say that this finding is diagnostic of any kind of anything," Weare said.

Canto sought to clarify what the phrase "no findings" meant in terms of evidence of the alleged rape.

"So that's the question, 'no findings' here will be – I guess a more specific term, and not really how we normal people use the term 'no findings,'" she

said to the physician.

"I think that's a correct assessment," Weare answered, later testifying: "When you put these together: the findings and (the victim's) story, it's logical to assume that it may have some bearing on the case, and that's why it was documented."

### 'No one can know about this'

Tuck's accuser completed her testimony Wednesday. Her first testimony on the witness stand ended after she became emotional about 20 minutes into her appearance.

"I was a little bit nervous, and I (inaudible) some time with my thoughts and just refresh my memory in my head about everything," she testified.

Under questioning from Canto and defense attorney Randy Cunliffe, the 22-year-old couldn't recall specific details of the night in question, including what Tuck was wearing, how long she remained at a restaurant after the



**TUCK:** Former UFC MMA fighter Jon Tuck arrives at the Supreme Court of Guam on May 12. Kevin Milan/The Guam Daily Post

alleged rape occurred and specific statements she gave to the police.

She did state however, something Tuck said to her following the alleged assault.

"He said, 'No one can know about this,'" she testified.

The prosecution rested its case against Tuck. Cunliffe told the court he intends to call just one witness: a police officer. He successfully moved to dismiss one count of criminal sexual conduct from the case, without opposition from Canto. Closing arguments are expected Friday.



## JUDICIAL COUNCIL OF GUAM

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The Judicial Council of Guam will conduct its monthly meeting on **Thursday, May 20, 2021, at 12 Noon in the Guam Judicial Center, 120 West O'Brien Drive, Hagåtña, by videoconference.** A monitor will be set up for any members of the public who would like to observe and offer comments. The meeting will also be streamed live on YouTube at <https://www.youtube.com/channel/UCfnFCWwllp99fAeh9zi4Q4g/featured>. The agenda will be made available prior to the meeting.

In addition, a request for Executive Session of the Judicial Council of Guam will be made pursuant to 5 G.C.A. §8111(c)(4) following the discussion of regular meeting agenda items. The agenda for the Executive Session will be to discuss ongoing litigation.

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# Duty-free giants offer free flights to lure VIP shoppers

By Kyunghie Park, Bruce Einhorn and Angelina Rascoet Bloomberg

Last month, Hyun Jung-a boarded a flight from South Korea's Incheon Airport. Around two hours later, she was back in the same airport and loading up on duty-free shopping, despite never landing in another country.

The Air Busan Co. flight, organized by Lotte Duty Free for its VIP customers, was Hyun's first since the pandemic began and it didn't cost her a cent. Because the route briefly departed Korean airspace and went over a Japanese island, the 130 passengers on board qualified to shop at duty-free stores in Seoul typically reserved for people who have traveled internationally.

Destination-less flights like these are an attempt by duty-free operators to salvage an industry decimated by COVID-19. Before the virus, business was booming - the global duty-free market was worth \$85 billion in 2019 and on track to reach \$139 billion by 2027, according to Verified Market Research.

Sales plunged as countries restricted international travel. Globally, only 1.8 billion people took scheduled flights last year compared with 4.5 billion in 2019, the International Civil Aviation Organization has said. Annual revenue for Swiss duty-free giant Dufry, which operates outlets worldwide, fell 71%.

While shoppers on flights such as Hyun's won't fill the financial void, they at least bring in some much-

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Destination-less flights ... are an attempt by duty-free operators to salvage an industry decimated by COVID-19.  
.....

needed business.

"I saw a lot of people with bags full of duty-free items," said Hyun, who bought a Chanel bag, shoes and cosmetics. "I tell all my friends that it's worth taking the flight because of the duty-free shopping opportunity."

Hotel Shilla, South Korea's second-biggest duty-free operator after Lotte, is offering 114 seats on two so-called flights to nowhere on May 23 and 30 to customers who have spent more than \$550 at its stores since May 3. Lotte is putting on another five flights this month.

Duty-free operators and other stores are among the last in South Korea to recover from the pandemic, with the country's retailers and wholesalers shedding 182,000 positions in April even as the economy added 652,000 jobs from a year earlier, the statistics office reported Wednesday.

The industry is in less of a squeeze where domestic air traffic has rebounded and tax-free shopping zones are in place. The palm-fringed Chinese island of Hainan has become an even more popular getaway for tourists from the mainland now starved of international travel. That's helped



TRAVEL: A man takes a photograph of a Jeju Air Co. passenger jet in Jeju, South Korea, on March 13, 2018. SeongJoon Cho/Bloomberg

the province's duty-free sales, which more than doubled to 27.5 billion yuan (\$4.3 billion) last year, according to the Ministry of Commerce.

Duty-free shopping has been permitted for domestic tourists in Hainan since 2011. In July, the government raised the spending limit to allow people to buy more and it is extending some duty-free shopping to Beijing, Shanghai and other cities to tap the growing purchasing power trapped in China.

Catering to the demand in Hainan, Alibaba Group Holding's logistics unit is starting daily cargo flights from Singapore to deliver cosmetics, handbags and other goods to the island. Japan's leading duty-free retailer, Laox Co., which was acquired by Chinese retailer Suning Holdings Group Co. in 2009, is planning to enter Hainan as soon as the second half of this year, setting up stores designed similarly to its outlets in Japan.

"The trend of visiting Hainan to do luxury shopping is here to stay for the Chinese," said Jonathan Siboni, chief executive officer of data-intelligence firm Luxurysight.

International air travel, if it is happening at all, is tending toward shorter-haul, regional routes, and from places where vaccination programs are at a more advanced stage. Seven of the world's busiest international routes in the first four months of the year included U.S. links, such as Cancun-Houston and

New York-Santo Domingo, according to aviation analytics company Cirium.

Share prices suggest investors are upbeat. Dufry's stock has climbed more than 100% since the end of September, while Hotel Shilla is near the highest in nearly 15 months in Seoul, rallying 13% this year.

Paris-based Lagardere Travel Retail, which operates duty-free stores, restaurants and other shops in airports, is counting on customers from closer to home to help it through an uncertain summer in Europe after its revenue slid 56% from a year earlier to 341 million euros (\$414 million) in the first three months.

"We're betting more on retired Europeans traveling," said Frederic Chevalier, the company's chief operating officer for Europe, Middle East and Africa. McKinsey forecasts passenger flows between Asia and Europe will only return to 2019 levels "beyond 2024," said Anita Balchandani, a partner at the firm.

With vaccination rates lagging in places such as South Korea - which has delivered enough jabs for just 4% of the population, Bloomberg's Virus Tracker shows - retailers may rely on gimmicks like flights to nowhere for a while.

"The contribution from the flights to nowhere is small but it's better than having nothing," said Sung Junewon, an analyst at Shinhan Investment Corp. in Seoul. "Every little bit counts."

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**NOTICE OF REGULAR BOARD MEETING**  
The Guam Economic Development Authority (GEDA), a public corporation, will be holding its Regular Board of Directors meeting on

**Thursday, May 20, 2021 at 1:30PM**

via Zoom and in the GEDA conference room located in Suite 511, 5th Floor, International Trade Center (ITC) Building, 590 South Marine Corps Drive, Tamuning, Guam.

For the link request or for persons requiring special accommodations, please contact GEDA's coordinator, Jennifer Calvo-Guzman, at 647-4332 or at jennifer.calvo@investguam.com by May 19, 2021.

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/s/ MELANIE MENDIOLA,  
GUAM ECONOMIC DEVELOPMENT AUTHORITY CEO/ADMINISTRATOR

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/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO  
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