



This is the 2nd affidavit of Andrew Skolnick in this case and it was made on May 18th, 2012

Court file No. VLC-S-S-111913
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

Michael Mann

PLAINTIFF

AND:

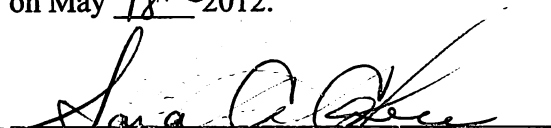
Timothy ("Tim") Ball,
The Frontier Centre for Public Policy Inc.,
and John Doe

DEFENDANTS

AFFIDAVIT

I, Andrew A. Skolnick, semi-retired science and medical writer, of 75 Berehaven Drive, Amherst, New York, 14228, United States of America, SWEAR (OR AFFIRM) THAT:

1. I have personal knowledge of the matters hereinafter deposed to, except where stated to be upon information and belief and where so stated I verily believe them to be true.
2. Attached and marked collectively as Exhibit "A" to this my affidavit is a true copy of an email sent April 26, 2012 17:59 by Tim Ball to Rupert Wyndham.
3. Attached and marked collectively as Exhibit "B" to this my affidavit is a true copy of a download from <http://noconsensus.wordpress.com/2010/01/29/deep-black-hide-the-decline/>.

SWORN (OR AFFIRMED) BEFORE)
 ME at Amherst, New York,)
 on May 18th 2012.)
)

)
 A commissioner for taking affidavits)
 for the State of New York)


 ANDREW SKOLNICK

SARA C CHRISTOPHER
 Notary Public - State of New York
 No. OF-CH6254052
 Qualified in Niagara County
 My Commission Exp. 1/9/2016

From: Tim Ball <timothyball@shaw.ca>
Date: 26 April 2012 17:59
Subject: Re: John O'Sullivan, known and revered by all
To: Rupert Wyndham <rupertwyndham@gmail.com>
Cc: "S. Fred Singer" <singer@sepp.org>

Thanks for your concerns about my associations and views.

I was made aware of the charges against O'Sullivan almost from the start. I checked as much as possible because as Fred is painfully aware there are a lot of deviously clever people who spin stories knowing that once it is on the web it has legs. My lawyer has also done extensive checks. It was said, a lie is halfway round the world before the truth has its boots on. With the internet it is all round the world from a multitude of sources before the truth is booted.

I legally disassociated myself from O'Sullivan very early and though he provided commentary he never acted as legal counsel.

I cannot disconnect myself from the book as it is in the public record. I also stand by my decision to participate in the book. It was taken because as a climatologist trying to fit all the pieces in the puzzle I found it impossible to fit many, but especially CO2.

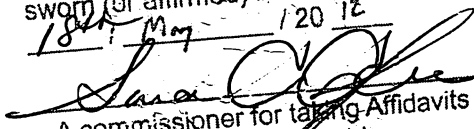
I spoke about this problem of climatology being a generalist discipline in an age of specialization when I was honoured to share a keynote platform with Fred at the first Heartland Conference in New York.

I have known from the start of my studies that I had to seek information and advice from specialists when researching, publishing or considering weather and climate problems.

I realized that proof of my concerns was the discovery of the hockey stick errors by a statistician. When McIntyre first saw the hockey stick graph he did not know it was about climate but immediately knew it was a corrupted graph and suspected how it was achieved. A suspicion he went on to prove.

I am not a physicist and cannot say whether the claims about CO2 as a greenhouse gas satisfy exponents of that specialization. I know I was disconcerted when years ago (in Calgary) I heard Patrick Michaels say we should concede human CO2 added to the greenhouse warming of that gas because it was politically unwise to say differently.

I approach the problem from the other end. All records of any duration for any time period show temperature increases before CO2. The recent attempt

This is Exhibit " A " referred to in the
Affidavit of Andrew S Kolnack
sworn (or affirmed) before me on
18th May 2012

A commissioner for taking Affidavits
for British Columbia
SARA C CHRISTOPHER
Notary Public - State of New York
No. O1-CH6254052
Qualified in Niagara County
My Commission Exp. 1/9/2016

by Shakun et al to show that the ice core record in fact showed CO2 increase preceded temperature increase was proof that it is seen as problem by proponents of AGW. As you likely know Shakun was quickly dismissed, <http://wattsupwiththat.com/2012/04/08/did-shakun-et-al-really-prove-that-co2-precede-late-glacial-warming-part-1/>

<http://wattsupwiththat.com/2012/04/18/more-fatal-flaws-in-the-shakun-et-al-nature-paper-claiming-that-co2-preceded-late-glacial-warming-part-2/>

I have watched them change from talking about the effect of CO2 to climate sensitivity. I had also watched the measure of that constantly decrease. <http://wattsupwiththat.com/2012/03/19/lower-climate-sensitivity-estimates-new-good-news/>

What many don't know is that I attended three different meetings at the last Heartland in Washington outside of the official forums and each was discussing whether or not CO2 was a greenhouse gas. At one meeting there were eight people, all engineers and physicists who had only recently looked at climate science and said they could not believe how bad the science was especially with regard to CO2. The discussion among all three groups (independently) was that CO2 was not a greenhouse gas and may be a cooling agent.

What is especially disconcerting is the idea that anyone who dares to question what is considered skeptical science needs to be isolated and attacked. The idea that those in the skeptics groups should not continue to be skeptical is unacceptable.

H. L. Mencken said you can divide the world into two groups, those who will divide the world into two groups and those who won't. So far there are two climate groups, those who support the anthropogenic global warming (AGW) hypothesis, warmists, and those who don't, skeptics. For me such narrowness is as dogmatic as the climate science that has perverted, corrupted and used it for a political agenda. It perpetuates the thinking that permeates so much of political thinking today, namely, if you are not with me you must be against me.

Use of the consensus argument is proof of the politicizing of climate science as I explain here; <http://drtimball.com/2012/consensus-argument-proves-climate-science-is-political/>
I reject application of the idea to any group in a science debate.

I will continue to practice science by being a skeptic and make no apologies. I will continue to seek responses from specialists about each element of the climate system. Meanwhile I wait for a record that shows a CO2 increase precedes a temperature increase - not one generated by a computer or simulated in a lab but measured in the real world.

Thanks for your concerns and support (especially the financial contributions). I am not trying to be difficult, I have enough problems as it is, but as scientists it is essential we keep our minds as open as possible, otherwise the science is settled and true debate is over.

Tim Ball

the Air Vent

Because the world needs another opinion

Deep Black – Hide the decline

Posted by Jeff Condon on January 29, 2010

Ya know guys, those other blogs really don't know what's going on. You have to stop here to figure it out. We're talking 12 – 21 inch monitors, 5 people reviewing the internet constantly, just to bring you the latest in climategate news.

This is Exhibit "B" referred to in the Affidavit of Andrew Skolnick sworn (or affirmed) before me on 18th May 2010



A commissioner for taking Affidavits in the District of Columbia
SARA CHRISTOPHER
 Notary Public - State of New York
 No. 01-CH6254052
 Qualified in Niagara County
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Climategate Professor Phil Jones could face ten years on fraud charges



Doctor Phillip Climategate Jones

Just kidding, H/T Reader Stephen

If Phil has to be the martyr for all of climate science it's no help to me. There are a lot of individuals equally guilty of exaggeration and hiding of the decline. Phil was just one of the crowd who happened to be an idiot with his data so he became the center.

I wonder how Mick Kelly escaped the powerful lens of the media investigating Climategate. This one is H/T Jeff Id and Mick Kelly...

From: Mick Kelly <mick.tiempo@gmail.com>

To: <P.Jones@uea.ac.uk>

Subject: RE: Global temperature

Date: Sun, 26 Oct 2008 09:02:00 +1300

Yeah, **it wasn't so much 1998** and all that that I was concerned about, used to dealing with that, but **the possibility that we might be going through a longer – 10 year – period of relatively stable temperatures beyond what you might expect from La Nina etc.**

Speculation, but if I see this as a possibility then others might also. Anyway, I'll maybe **cut the last few points off** the filtered curve before I give the talk again as **that's trending down** as a result of the end effects and the recent cold-ish years.

Enjoy Iceland and pass on my best wishes to Astrid.

Mick

Didn't the associated press just do a big "exhaustive study" on these emails? This must not have been in their download. Oh yeah, I've got the original, they should have called me....

Do you know what this is saying about the nature of climate science. It's not one or two people, we know that already but this is further proof. **Isn't the person "Kelly", in writing this email, extraordinarily comfortable that he's writing to friendly ears, despite committing fraudulent science?**

I haven't seen this covered anywhere in the MSM yet and it's frustrating. Still if it takes 10 years of striped clothing for Dr. Climategate to convince the boys who publish fish/sheep/pig shrinkage papers that we're not putting up with this obvious fraud, so be it.

Trillions of dollars or ten years of Phil Jones life in the can..... my choice is Phil...unless he wishes to come clean on his buddies. Ya know, those same buddies who obviously know they can write to Phil about committing fraud, without consequence.....



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This entry was posted on January 29, 2010 at 3:00 am and is filed under Uncategorized. You can follow any responses to this entry through the RSS 2.0 feed. You can leave a response, or trackback from your own site.

26 Responses to “Deep Black – Hide the decline”

1. GORE LIED said

January 29, 2010 at 3:38 am

Jeff,

I'm glad you brought up that particular e-mail from Kelly. When Climategate broke I was sifting through the wreckage of those e-mails one night and found that one. I posted it on my blog on November 20 here...

<http://algorelied.com/?p=3184>

At the time (because I was curious to see if anyone else had found and posted that e-mail) I Googled it, and found no results. Anyway, Morano linked to me, and as a result I got several thousand hits on it, but it seemed to get over-shadowed by “hide the decline”.

One thing that really struck me about this Kelly e-mail is the line right after the part about “cutting off the last few points off the filtered curve...as a result of...the coldish years:

“Enjoy Iceland and pass on my best wishes to Astrid.”

That casual send-off just kind of captures the essence of how casual this behavior was. It's like it's an every day occurrence, and no big deal, i.e. “Right now I'm going to hide the decline, and then I'm going to the grocery store to pick up a carton of eggs.”

Reply

2. DeNATUREd Issue 2 « TWAWKI said

January 29, 2010 at 3:56 am

[...] 10 years JAIL [...]

Reply

3. *Peter of Sydney* said

January 29, 2010 at 5:49 am

I have no pity for people like Phil Jones who deliberately and knowingly made exaggerated claims about man-made global warming. Anyone who is supposedly believed to be of high intelligence and knowledge must be very careful when making claims that impact world events and critical policy decisions by major governments. They are allowed to make mistakes since they are human but they must not make them repeatedly. If they do then it's not a mistake anymore but a deliberate lie and must suffer the consequences. People who have done such wrong are actually worse than bank robbers stealing money as there's much more money at stake, as well as lives as a result of the policy decisions to be made. He deserves the biggest sentence possible if proven guilty.

Reply

4. *Derek Walton* said

January 29, 2010 at 6:45 am

Just googles "Mick Kelly", and there is a Mick Kelly at CRU:
http://www.uea.ac.uk/env/cserge/people/mick_kelly.htm

Not sure that we can trust conclusions, as he lists Big Oil as a funder /sarc

Reply

5. *Kondealer* said

January 29, 2010 at 7:02 am

I agree completely with Stephan. Fraud prosecutions should be initiated against all those complicit in the CRU scam. Guilty verdicts and suspended prison sentences would be sufficient to thoroughly discredit these people, even in the eyes of climate alarmists.

On a similar note, I have just had this letter published in "The Times"

Sir, as a scientist and one who also requested data from the Climate Research Unit (CRU) under the F.O.I. Act, I am pleased that the ICO has found that University of East Anglia (UEA) and CRU failed in its duties under the Act.

Two things must now happen.

Firstly, all data, adjustment procedures and computer code relating to the CRU temperature records must be released for proper scientific scrutiny and verification. Until the data is verified all published papers that rely on the CRU temperature record for their conclusions must be

Secondly, Professor Jones must do the honourable thing and resign. Failing that he must be dismissed if UEA and CRU are to retain any scientific credibility.

Reply

6. PaulM said

January 29, 2010 at 9:44 am

Jeff,

This email is covered by John Costella, in what I think is the best and most thorough analysis of climategate I have seen so far (no I havent read Mosh’s book!), neatly colour coded by author. The link is

<http://assassinationscience.com/climategate/>

Costella’s comment following this email is

“In private, they admit that there could be significant cooling; in public, they hide it. Again: when the results don’t fit your preconceptions, fraudulently alter them so that the public doesn’t get the wrong idea! ”

Don/kon, congratulations on getting your excellent letter published.

Mick Kelly seems to have a nice little sideline in addition to his post at CRU:

“Mick Kelly is a consultant with Tanelorn Associates, based in Whakapara, Northland, New Zealand.”

Reply

7. Bernie said

January 29, 2010 at 9:54 am

Jeff:

This is a very interesting email because it discloses the link between CRU and CSERGE. CSERGE’s existence is predicated on environmental catastrophes of one type or another. How does CSERGE’s worldview differ from WWF or Greenpeace? What does Steve Mosher think?

Reply

8. ADE said

January 29, 2010 at 10:23 am

A gathering of climate scientists cannot have been the only people in this CONSPIRACY, it can be found in government policy, documents, Quangoes, Defra, etc.

The whole climate movement was probably engineered by GREEN ACTIVISTS, working inside the UN and many governments.

THIS truly is THE GREAT SCAM.

Reply

9. **Jeff Id** said

January 29, 2010 at 11:05 am

#1, You may have been the first. I ran this email the first time on the 22nd, this never seemed to make the transition to the MSM like hide the decline did but it's the same exact thing. It's done by a different person who knew damned well that Jones wouldn't care that he was discussing chopping the decline off the temperature record.

<http://noconsensus.wordpress.com/2009/11/22/cooling-masked-from-public/>

The link from PaulM #6 is a good read.

Reply

10. **Jeff Id** said

January 29, 2010 at 11:08 am

I edited the post to say anywhere in the MSM, which is what I meant to say.

Reply

11. ***PhilJourdan*** said

January 29, 2010 at 11:14 am

It is a case of plausible deniability. I doubt it would go anywhere in a court of law, but in a case of ethical behavior? It is damning evidence.

Reply

12. ***P Gosselin*** said

January 29, 2010 at 11:17 am

" I'll maybe cut the last few points off the filtered curve before I give the talk again as that's trending down as a result of the end effects and the recent cold-ish years."

Another "hide the decline".

Reply

13. *Schiller Thurkettle* said

January 29, 2010 at 12:01 pm

Folks,

Do you remember the news about hackers getting into computers at NOAA and Hadley and corrupting the data?

No? Think a bit... it was the IT manager's worst nightmare. An 'inside job'.

At Hadley, the climate data were so corrupted that they're useless. At NOAA, the hackers dropped out climate data from over 70 percent of the world's climate stations.

Yep, now I'm sure you remember that news about the hackers. Mann, Jones, et. al. And hacking government records, and corrupting the databases, is a serious crime.

What's more, the data corrupted by the hackers was generated by governments all over the globe—making multiple extraditions a real possibility.

Wouldn't it be grand to see Mann et. al. defending 'hacker ethics' to a jury?

Reply

14. *Fred Nieuwenhuis* said

January 29, 2010 at 1:44 pm

OT but the latest HADCRUT is out and they've made some changes:

http://hadobs.metoffice.com/crutem3/jan_2010_update.html

Reply

15. *RomanM* said

January 29, 2010 at 3:28 pm

Met office has also updated the station data page it set up last month and released a new zip file of the station data at

<http://www.metoffice.gov.uk/climatechange/science/monitoring/subsets.html>

Reply

16. *Rob R* said

January 29, 2010 at 5:35 pm

14. Fred

EM Smith (cheifio) has done some nice work on the march of the thermometers in NZ, Australia and the Pacific with regard to the stations in GHCN. There seem to be a couple of extra stations in crutem3 in NZ but the list is very similar.

NZ stations listed in crutem3 are: Kaitaia A, Auckland, Gisborne A, New Plymouth A, Napier-Nelson Park, Wellington- Kelburn, Hokitika A, Christchurch A, Invercargill A, Dunedin, Campbell Island, Chatham Island- Waitangi (A), and Raoul Island. That's 13 stations, 7 of which are at airports and 8 are associated with cities and so suffer to some degree from the UHI effect.

Campbell Island is no longer reporting, so that leaves 12 stations.

Of the rest Kaitaia and Hokitika are smallish rural towns but the airports inevitably have seen some development. The station data from the Chatham Islands also comes largely from the local airport.

The only truly rural site in the NZ list is probably Raoul Island. All other currently reporting stations in the list are either at airports, or from large towns or cities, or both.

So the crutem3 temperatures derived from NZ stations are almost all suspect to some degree. Consequently any regional surface station temp trends derived via crutem3 from NZ data will be polluted substantially by UHI and airport-warming trends. For the NZ region crutem3 can't be trusted as a reliable guide to long-term temperature trends regardless of how the Hadley Centre massages the data.

Reply

17. *Maurice J* said

January 29, 2010 at 11:23 pm

Jeff

A bit more information on "Mick Kelly"

When he gives public talks supporting the AGW hoax he describes himself as "DR. MICK KELLY...Climate Change Expert with Tanelorn Associates of Whakapara (Northland New Zealand) an associate staff member of the Stockholm Environmental Institute (York, United Kingdom) and a visiting fellow with the Climatic Research Unit at the University of East Anglia (Norwich, United Kingdom)

However when he makes "Submissions" to the New Zealand Govt. he calls himself "MICK

KELLEY (TANELORN ASSOCIATES)“

I am pretty sure Dr. Mick Kelly and Mick Kelley are one in the same person.

Regards from New Zealand.

Reply

18. *Geoff Sherrington* said

January 30, 2010 at 3:15 am

IMHO, the authorities should be concentrating on the Mr Bigs in this exercise. The CRU team, in a sense, seem to be puppets on a string; we need to know who pulled the strings. After hours of reading the CRU emails, I am of the opinion that the main characters depicted lack the motivation and skill to devise a scheme to change the world. I see analogies with the “Cambridge 5” who had back door escapes set up. These guys did not. Someone much higher up is implicated.

Candidates? The lack of MSM coverage points to implication of media moguls, but I would only theorise that, not state it with any scientific certitude.

From where does Greenpeace and WWF get most funding?

Why in the last 50 years of the politics of dissent, has the focus been so consistently around where Holland meets Germany? (With a side show from California including Hollywood).

Reply

19. *Peter of Sydney* said

January 30, 2010 at 3:55 am

Geoff Sherrington I disagree. They should concentrate on all of them. Not only to set an example but to flush out all the others and get climate science back on track and away from the snake oil illusion and corruption it exhibits at the moment.

Reply

20. *ADE* said

January 30, 2010 at 4:29 am

The “SCAM” is not just “Mr. Jones”, the whole conspiracy has been organised by well funded politically motivated ACTIVISTS.

The Climate movement is worldwide run by Big and Little fish in the UN, National Governments, interested businesses, DEFRA WWF, GREENPEACE, Environment agencies, Energy trusts. You name it these activists are embedded.

Climate “change”, the IPCC and all the derivatives have conspired to make the industrialised worlds workers PAY for the development of the third world while taking a fall in living standards due to higher cost and taxed energy and food.

Reply

21. Dr. Robert said

January 30, 2010 at 9:19 am

Oh you jerk!

I believed for a few seconds Phil Jones got 10 years! I got so happy and then you crushed me!

I'm keeping my fingers crossed.

Reply

22. Pa Annoyed said

January 30, 2010 at 2:15 pm

There are *lots* of emails that aren't getting the publicity. But you should think of it as a resource to be mined steadily for years to come, not used up in one gluttonous binge.

I quite like this one:

“I got a paper to review [...] that claims that the method of reconstruction that we use in dendroclimatology (reverse regression) is wrong, biased, lousy, horrible, etc. [...] It won't be easy to dismiss out of hand as the math appears to be correct theoretically [...] So they do lots of monte carlo stuff that shows the superiority of their method and the deficiencies of our way of doing things [...]”

A paper showing that the regression of the dendros is biased and wrong, that is correct theoretically, and shown by Monte Carlo experiments to be superior, and the dendros' deficient? And this wasn't big news?

Who could have imagined it.

Reply

23. stepanovich said

January 31, 2010 at 6:12 am

Climategate Professor Phil Jones could face ten years on fraud charges

According to whom? According to a self-proclaimed “legal advocate” who's probably not even qualified to practise law, that's who.

Since I'm not a lawyer either, I feel equally qualified to put up a big blaring headline:

Report (by myself): John O'Sullivan and pals could face jail time for bribery... and fraud

And I don't need to steal — um, sorry, I mean leak — any e-mails to prove it. It's right up there on the climategate.com web site:

We are turning up the heat in pursuit of prosecutions against scientists involved in the recent Climategate scandal. Our dedicated group of volunteers working with Climategate.com are behind a plan to entice co-workers of discredited Penn State University climatologist Michael Mann to turn whistleblowers in return for millions of dollars in federal reward money. [...]

Whether convictions are obtained or not, Mr. Hesch assures prospective whistleblowers they will receive a substantial share of any monies recovered. Federal investigators reward whistleblowers with an average payment of \$1.5 million based on the sums of money recovered.

Except it's clearly not "federal reward money", it's a bribe by private individuals who know full well that they're in control of the money. Does John and pals dare to go ahead with their supposed 'reward' scheme?

Reply

24. John O'Sullivan said

January 31, 2010 at 10:18 pm

@23. Nice ad hominem dashed with the taste of a sour grapes 'appeal to authority' so typical of the intellectual and factually bankrupt climate alarmist. Now prove me wrong. I welcome pithy debate. I am especially happy to take on anyone in any court room at any time on any issue of law-tis what I do best.

I especially welcome arrogant climate alarmists with pots of money to waste thinking they can get one over on me in court. Please feel free to attack me personally some more and see what comes back at you. For your information I am a retired academic and I have litigated personally or assisted others in pro se litigation at every level of court there is in New York State as well as Federal level, for over a decade and never lost.

Am I licensed to practice law in the US or UK? No, sir- self taught and proud! I think that makes my achievements even more extraordinary, don't you?

I'm just some Brit with a brain who can go live with his American wife in her country and kick ass big time around a courtroom. I've also even done it, too, in criminal court back in the UK where I wiped the floor with the Crown Prosecution Service and corrupt police who tried to frame me on trumped up criminal charges in what's euphemistically called 'police noble cause corruption.' I won by a canter- acquitted on all counts and it made the national news, too! You try it and see how long you last. I guarantee if you tried walking in my footsteps you'd have a little less arrogance, sir.

But let's stick to science shall we? While we talking qualifications – can you name me one 'climate scientist' who has qualified with a university degree in climatology-just one? Try hard, please, we are all looking forward to seeing your answer.

[Reply](#)

25. [TAWAKI » DeNATUREd Issue 2](#) said

[April 10, 2010 at 10:25 am](#)

[...] 10 years JAIL [...]

[Reply](#)

26. *John F. Pittman* said

[April 10, 2010 at 11:02 am](#)

Welcome back JohnO. Last time you made this challenge you got a few ad hom's and hand waves, but no substantive challenge. I don't think you will do better this time. LOL. I am suprised you did not point out that without the Feds and States "auditing" climate science, your potential clients do not have to worry that the Feds will try to worm out, any more than usual, that is. It would have added a bit of sarcastic joy to your post, IMO.

[Reply](#)

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