

**John R. Mashey<sup>1</sup>**

Ed Wegman, Yasmin Said and Milton Johns Sue Me for \$2 Million

**Executive Summary**

In December 2009, Canadian blogger Deep Climate (DC) started finding plagiarism in the 2006 Wegman Report (WR), which attacked the “hockey stick” and authors Michael Mann, Raymond Bradley and Malcom Hughes. Based on those finds, in March 2010 Bradley lodged complaints against the WR and a related paper with George Mason University (GMU). Later, I and others found more problems and reported them to GMU and journals.

In March 2011, DC exposed pervasive plagiarism in a paper in Wiley’s *WIREs: Computational Statistics* journal. Soon after, similar or worse problems were found in a 2<sup>nd</sup> paper. People normally report such issues to the Editors. In this case, the Editors were the authors, GMU’s **Edward Wegman** and **Yasmin Said**, already under scrutiny for the WR.

In May 2011, they were forced to retract the related paper for plagiarism.

It can be hard to find major plagiarism but once found, but if well-displayed, it is obvious to anyone, even without subject knowledge. During 2011-2012, I and several others lodged well-documented plagiarism allegations with Wiley. After a reasonable start, **Steven Quigley** stonewalled for months and then gave Wegman and Said a chance not afforded to regular authors. Rather than retractions, in 2012 they did massive, but quiet rewrites. Further communications were mostly ignored, or stonewalled by a UK Communications Director **Helen Bray**, but in June 2012, Wegman and Said silently dropped off the masthead with no explanation.

On 03/24/15 I was served with complaints by Wegman and Said via their lawyer **Milt Johns**, **Ken Cuccinelli**’s partner 2008-2010. **They demanded \$2M** for conspiracies, tortious interference with contracts and punitive damages, seeming to think plagiarism complaints illegal. Their complaints focused on the WR, as though Wiley would care more about it than never-mentioned WIREs:CS papers. *That made no sense and they knew better.*

<sup>1</sup> Dr. Mashey is an easy-to-Google semi-retired Bell Labs (1973-1983) / Silicon Valley (1983- ) computer scientist / corporate executive. A member of AAAS, AGU, APS, ACM, IEEE CS, he was profiled in *Science* for efforts against climate anti-science:

[www.desmoglob.com/science-article-recognizes-john-mashey](http://www.desmoglob.com/science-article-recognizes-john-mashey)

[www.desmoglob.com/user/john-mashey](http://www.desmoglob.com/user/john-mashey); email JohnMashey, at domain yahoo DOT com

The suits were badly written in many ways, rife with falsehoods and errors, but at this stage a Motion to Dismiss cannot argue matters of fact, just legal reasons. On 04/17/15 my lawyers filed a strong, detailed Motion to Dismiss with Prejudice, which if accepted at hearing, would mean “don’t try again.”

**On 04/30/15, few days before the hearing, Johns filed voluntary dismissals of their complaints**, his last day at his own firm **Day Johns**, where he had been since 2008. On 05/01/14 he joined **Fluet Huber + Hoag**. At that stage, voluntary dismissal avoided “with prejudice” ruling and made it harder to file a “frivolous lawsuit” claim.

Since court documentation is now public, that leaves on the record many claims that I think are false, misleading or that fall far outside normal academic or publishing ethics. This report documents in detail my best knowledge of the facts.. It contains much material that never would have been published or even written, but for these lawsuits.

The 2013 FOIA Facts blog posts documented many issues, but were derived from a detailed report with explicit allegations of wrongdoing. It was not published then, but rather sent to GMU’s **Aurali Dade** in May 2013 and to several government agencies. The now-revealed Wiley contract strengthens the allegations. Wiley finally changed its mind, for reasons unknown, as it was certainly stonewalling even after resignations.

However, no one expected the plaintiffs to suddenly quit, so much time was spent gathering the history and writing it in preparation for the case. So, that is documented here, to counter the complaint’s errors.

This case was a farcical waste of time, money and court actions, but other than time and hassle, it did not actually cost me money. The Climate Science Legal Defense Fund<sup>2</sup> offered to pay my legal expenses. Thanks CSLDF! Donations are welcome. Some climate scientists endure far more hassle than I did, **\$V**, **\$X**, so help CSLDF be ready to assist.

And thanks to Cozen O’Connor’s Chad Kurtz, Tom Wilkinson and Peter Fontaine, good lawyers who also know the climate wars.

<sup>2</sup> [climatesciencedefensefund.org](http://climatesciencedefensefund.org)

[climatesciencedefensefund.org/new-legal-attacks-on-climate-science-community](http://climatesciencedefensefund.org/new-legal-attacks-on-climate-science-community)

Johns improperly subpoenaed Wiley without informing me. The 06/02/14 a response, §D.4 gave no support to Wegman's complaint, in fact should have discouraged it. It showed a clear emphasis on plagiarism in SAID2009 and WEG2011 and not in demands for resignations. Instead of quitting then, they escalated with the near-duplicate Said complaint and subpoenaed GMU.

The almost-identical suits are dissected later in §C, but a few excerpts are shown below. *Disputed* implies more complex refutation than simple *False*.

‘3. Defendant John Mashey is a nationally recognized science figure and blogger, writing regularly for "Desmog Blog," and has reached into Virginia and the nation, creating substantial contacts, thus subjecting him to the personal jurisdiction of this court.’ *False, although the first is nice*

‘FACTUAL ALLEGATIONS

6. Edward Wegman was the lead author in a 2006 report to Congress, referred to as the "Hockey Stick Report" or the "Wegman Report," that cast **serious doubt** on the reliability of the statistics used by proponents of “global warming” theories of anthropogenic climate change. *Disputed*

7. In March of 2009, Defendant John Mashey, via the web blog Deepclimate.org performed an analysis of the Wegman Report that purported to show plagiarism by Wegman.’ *False, wrong date, person.*

8. In March of 2010, based on Mashey's writings, Raymond Bradley, of the University of Massachusetts, made a complaint to Said's employer, George Mason University, alleging plagiarism in the report from one of Bradley's textbooks.’ *False, based on work of blogger Deep Climate.*

9. Two different committees investigated the charges and no plagiarism was found.’ *False, by FOIA.*

19. John Mashey, John Doe, and others used defamation and engaged in common law and statutory conspiracy to get Wegman removed from the editorial board at Wiley by the letter writing campaign.’ *Disputed.*

21. Wegman was never found to have committed plagiarism, and any such allegation is untrue.’ *False, disputed.*

22. John Mashey, John Doe, and others were motivated by malice, spite, and ill will, all driven by a publicly expressed desire to discredit or ruin their opposition.’ *Disputed.*

As in [MAS2010a, MAS2013a], I continue to allege that:

- The WR was an elaborate conspiracy to mislead Congress and the public to discredit climate science and scientists, possibly rising to violations of: 18.U.S.C §1001 (misleading Congress), §371 (conspiracy), which may be “unfulfilled” given §V and §X, noting that the various legal maneuvers against climate scientists often seem to involve a small set of GMU-trained lawyers. That may be coincidence. §4 (misprision), which might involve many more people. Later actions might involve §1519 (obstruction of justice).
- The WR was produced primarily by Wegman and his students, with little expertise in climate or Social Network Analysis. Even the statistics was poor, and their given affiliations were deceptive.
- The WR used statistics already proven wrong in 2006, but with even more proof by 2010 and later [DEE2010r, STO2011, STO2014a-d]
- Wegman used a false claim to avoid providing code used [MAS2012b].
- The WR contained material plagiarized from copyrighted books, as did GMU PhD dissertations and other papers.
- The WR was not *pro bono* as repeatedly said, but in fact was claimed for credit by Wegman and Said for Federal funds [MAS2013b, MAS2013a].
- Wegman, Said and their students have compiled a long history of plagiarism, not just in the WR or WIRES:CS, but elsewhere. Claims of “never plagiarized” have now been made in legal records.
- GMU repeatedly broke its own academic misconduct rules to protect him and in 2012 named him to the Promotions and Tenure Committee. It violated Federal reporting rules and its report contained clear falsehoods, via FOIAs. It has ignored many well-documented complaints and then changed policies to become even more opaque [MAS2013f]. I and others have presented evidence of the above in great detail.

By contrast, Wegman has:

- Denigrated people, but with polemics, not substantial arguments, §B.2.<sup>3</sup>
- In 2011 stopped answering journalists’ questions, except via Johns,
- Rather than refutations, launched farcical legal complaints, then failed to follow through, after wasting others’ time and money.

Unlike scientists with full-time jobs, I could afford to spend much of the last 2 months’ working on this interrupt. I also knew where to go for help, and if climate scientists get hit with such things, they should should also.

<sup>3</sup> If he would like to point out specific errors, I will happily document and fix them.

**Overview of the rest**

After short introductory sections §1-§3, Appendices are the bulk of the text.

Appendices §A-§D cover Wegman/Said legal issues and context.

§A annotates the Virginia and Federal Court chronologies

§B reviews background before complaints, including years of Wegman & Said denigration of climate science, some Wegman quotes, a snapshot of Wegman's current web page. In §B.4, the Wiley response to an irregular subpoena should have discouraged them, but instead they threatened legal action against *DeSmog*, created the Said complaint and tried another irregular subpoena with GMU, §A.1.

§C dissects the Wegman/Said complaint(s)

§D discusses the Wiley contract, first seen in April 2015. It ironically strengthens the evidence for alleged funds mis-use in [MAS2013a]. An annotated copy of the contract is included in a separate file.

Anyone who doubts the strength of the plagiarism allegations can read:

§E coverage in a wide variety of publications

§F table of plagiarism, falsification in various works from [MAS2013a]

§G plagiarism chains of Wegman and students; URLs of comparisons

§P thumbnails of plagiarism in WR and WIRES:CS

[MAS2012c] has yet more thumbnails and [MAS2013a, MAS2013e] and a few more found later, and they reference full-sized side-by-side, highlighted comparisons covering ~100 pages.

Any academics or publishers who think none of this rises to plagiarism would certainly be welcome to copies of the files to add to their documentation for students and authors to show acceptable practice.

Altogether, plagiarism is alleged against ~100 pages, all reported to GMU, and rejected or ignored [MAS2012c, MAS2013f].

Wegman and Said brought GMU actions into the suit in their support. Since [MAS2013a] contained countervailing evidence, it is now published, 2 years after it was written and sent to GMU.

§Q quotes and analyzes all the interactions with Wiley that I have.

§Q.1 was mostly published in [MAS2012a, MAS2012c]

§Q.2-Q.4 were written to document factual history that contradicts

Wegman/Said complaints of tortious interference, conspiracy, malice.

As it has been ~3 years since the key events, this would never have been written except as preparation for the court case.

§R and §S offer context for publication ethics as claimed by Wiley, and described by COPE, of which Wiley is an active member.

§V offers a sample chronology of continuing use of the WR as a prop for attacks on the hockey stick and climate science, years after it has been strongly discredited, page by page.

§X gives examples of the harassment of climate scientists via the legal system, actions involving lawyers trained or connected with GMU.

[MAS2013a] is now published, and §Q.2-Q.4 written because Wegman and Said's complaints are on public record, without court rebuttal.

My lawyers found many legal problems thought sufficient to dismiss the case. At that stage, the arguments cannot address factual errors, but are constrained to reasons for dismissal even if the plaintiff's claims were true. For instance, the complaint was demonstrably filed in the wrong venue.

Only later is evidence presented to counter factually false claims.

By voluntarily dismissing the case before the first hearing in Federal court, the case never got that far. That leaves their claims in official records, without challenge in court.

So, this document is the rebuttal, mostly gathered and written in the month before the expected hearing ... that never happened.

This case was a waste of time, effort, legal costs and court expense, with only 2 useful outcomes:

The Wiley contract adds evidence to allegations in [MAS2013a].

It forced me to gather the history and write the narrative of the later interactions with Wiley, §Q.

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## Front Matter

### 0.1 Advice on reading this report

As usual, given names and titles are generally omitted for brevity, no discourtesy intended to any. Opinions and speculations<sup>4</sup> are *Italicized*, **Emboldening** or highlighting in quotes is mine, unless noted.

Wikis are used here primarily to avoid huge citation expansions when mentioning general topics. Wikis are considered useful starting reference sources, not authoritative. *Wikipedia* rules avoid use of primary sources,<sup>5</sup> probably a good general rule, but which sometimes leads to strange effects. It is not that *Wikipedia* is necessarily wrong, but sometimes information admissible elsewhere cannot be cited.<sup>6</sup>

*WebCitation* URLs for archived files are sometimes included, since important files might disappear, as some have. If an older file disappears, readers might check the Internet Archive's *Wayback Machine*<sup>7</sup> and then the *WebCitation* query page,<sup>8</sup> as someone else may have archived it. Sometimes *Wayback* dates are shown as YYYY.MM.DD←11yyyy.mm.dd to mean that the YYYY snapshot showed something that changed since the last previous snapshot yyyy, but the exact date is unknown.

Two-column landscape text is used rather than portrait mode, to support 11-pt text and 10-pt footnotes readably on common landscape displays. Although most would read this online, showing explicit URLs allows reasonable paper copies. Footnotes are employed rather than endnotes to avoid navigation that works in books, (via thumb) but is still awkward in PDFs. Online readers may find it convenient to open 2 windows on this PDF, one for mainline reading, and one for Front Matter/Appendices.

<sup>4</sup> This report has resembles investigations where many facts are known, but careful speculation is sometimes needed to enumerate ideas for connecting dots.

<sup>5</sup> [en.wikipedia.org/wiki/Wikipedia:Identifying\\_reliable\\_sources](https://en.wikipedia.org/wiki/Wikipedia:Identifying_reliable_sources) That policy has good reasons, so this is no complaint against *Wikipedia*'s laudable efforts. If a blog post shows side-by-side comparisons a text with easily-verified antecedents, that could be strong evidence in academic misconduct or copyright cases, regardless of who wrote it or where it appeared. *Wikipedia* rules essentially forbid reference, unless the comparison is copied into a Reliable Source.

<sup>6</sup> [en.wikipedia.org/wiki/Edward\\_Wegman](https://en.wikipedia.org/wiki/Edward_Wegman) For example

<sup>7</sup> <https://archive.org>

<sup>8</sup> [www.webcitation.org/query](http://www.webcitation.org/query)

## 0.2 Glossary

Ack	Acknowledge help or funding, as in a paper, for example: “We Acknowledge funding from <i>Agency grant#</i> . ”
ARO	Army Research Office, manages external research
BoD	Board of Directors
Claim	With regard to Federal grants/fellowships, “claim” here means some work (paper, talk, book) claimed for credit for money received, in some intermediate or final report. Funders expect to see some results related to the grant, preferably peer-reviewed papers.
Conspiracy Theory	According to Wikipedia: <sup>9</sup> ‘A conspiracy theory is an explanatory proposition that accuses two or more persons, a group, or an organization of having caused or covered up, through secret planning and deliberate action, an illegal or harmful event or situation.’ Nothing here is intended as a psychopathological diagnosis of any sort.
CSDA	<i>Computational Statistics &amp; Data Analysis</i> , Elsevier Said, Wegman, et al (2008) was retracted for plagiarism in May 2011.
DC	“Deep Climate” pseudonym of Canadian blogger whose blog is <i>deepclimate.org</i> , disambiguated by referencing person as DC.
FOIA	Freedom of Information Act (requests)
GMU	George Mason University, Fairfax, VA
NIAAA	National Institute on Alcohol Abuse and Alcoholism
PDF	Portable Document Format, by Adobe
SNA	Social Network Analysis, mis-applied in WR, [SAI2008]
Stonewall	”to refuse or fail to answer questions, to do what has been requested, etc., especially in order to delay or prevent something” <sup>10</sup>
Wiley	John Wiley and Sons, <sup>11</sup> Wiley-Blackwell is part, see <b>§C.11</b>
Wiley-Blackwell	“scientific ... and scholarly publishing”, has WIREs
WIREs	Wiley Interdisciplinary Reviews <sup>12</sup> – group of (12) journals
WIREs Computational Statistics	journal Wegman & Said edited, official
<b>WIREs:CS</b>	unofficial but precise label often used here for the above
WIREs	Name used for WIREs:CS by Wegman & Said, avoided here
U VA	University of Virginia
URL	Uniform Resource Locator, location of file in network
WR	Wegman Report (2006), [WEG2006]

<sup>9</sup> [en.wikipedia.org/wiki/Conspiracy\\_theory](https://en.wikipedia.org/wiki/Conspiracy_theory)

<sup>10</sup> [www.merriam-webster.com/dictionary/stonewall](http://www.merriam-webster.com/dictionary/stonewall)

<sup>11</sup> [www.wiley.com/WileyCDA](http://www.wiley.com/WileyCDA)

<sup>12</sup> [www.wiley.com/WileyCDA/PressRelease/pressReleaseId-68257.html](http://www.wiley.com/WileyCDA/PressRelease/pressReleaseId-68257.html)

**0.3 People, including potential witnesses, no guilt by association**

Climate scientists, sample of those <i>hassled via legal actions</i> , §V, §X	
<b>Michael Mann</b> , Pennsylvania State University	<i>Barton, Cuccinelli, Schnare</i>
<b>Raymond Bradley</b> , U Massachusetts, Amherst	<i>Barton, Cuccinelli, Schnare</i>
<b>Malcolm Hughes</b> , University of Arizona	<i>Barton, Schnare</i>
<b>Jonathan Overpeck</b> , University of Arizona	<i>Schnare</i>
<b>Andrew Dessler</b> , Texas A&M	<i>Schnare</i>
<b>Katharine Hayhoe</b> , University of Arizona	<i>Schnare</i>

**Wegman Report, Background**

Many are discussed in [MAS2010a p.7], page numbers there by default  
**Joseph Barton** (R-TX), **Ed Whitfield** (R-KY), US Representatives who tried to intimidate scientists, got Wegman recruited, promoted the WR  
**Steven McIntyre**, retired mining consultant, Ontario, Canada. With McKitrick, created talk that acted as WR blueprint [MAS2011a, p.17].  
**Ross McKitrick**, Prof. Economics, U of Guelph, Ontario, Canada  
**Peter Spencer**, Barton staffer was Wegman's contact, sent papers  
**Jerry Coffey** recruited Wegman [SAI2007], strong climate dismissive

**Direct Contributors to WR, related work, mostly Wegman & students.**

'This report was authored by Edward J. Wegman, George Mason University, David W. Scott, Rice University, and Yasmin H. Said, The Johns Hopkins University. We would also like to acknowledge the contributions of John T. Rigsby, III, Naval Surface Warfare Center, and Denise M. Reeves, MITRE Corporation.'

**Edward J. Wegman**, GMU

**David W. Scott**, Rice University, minimal role, p.187

**Yasmin H. Said**, PhD 2005 (Wegman), Johns Hopkins University (2005-2006), then *back at GMU as postdoc before WR release*.

**An unknown 4th person**, who later dropped out

**John T. Rigsby III**, Naval Surface Warfare Center, MS 2005 *PhD student*

**Denise M. Reeves**, MITRE, *PhD 2009*<sup>13</sup>

**Walid Sharabati**, PhD, 2008. Unmentioned in the WR, he contributed much of the response to Rep. Stupak in 2006.

Scott seemed minimally involved WR Appendix A, (~3 pages), but was listed ahead of Said, who must have written much of the WR. Reeves contributed ~5.5 pages, more than Scott, but was not called an author. The WR was almost entirely a GMU Wegman & student project.
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**George Mason University** [MAS2012c, especially p.6]

*The following were involved in handling the 2010-2012 complaints:*

**Alan Merten**, GMU President through July 2012

**Peter Stearns**, Provost (until 06/30/14)<sup>14</sup>

**Roger Stough**, VP Research until June 2013, now Associate Dean for Research in School of Policy, Government and International Affairs<sup>15</sup>

**Donna Sherrard**, Stough's assistant, managed interactions with Bradley  
 Various department heads and Deans, hard to know which were involved

**Thomas M. Moncure, Jr** University Counsel<sup>16</sup> copied on FOIA replies

**3-person Inquiry Committee:**<sup>17</sup> [MAS2012c, pp.11-13]

Chair - School of Public Policy,

Department of Public & International Affairs,

Department of Philosophy

**3-person Investigation Committee:** [MAS2012c, pp.11-13]

School of Public Policy,

Provost Office,

Physics Department

*The following were sent complaints in 2012 and 2013:*

**Angel Cabrera**, GMU President since July 2012, was sent a letter referencing [MAS2012c] 08/26/12, never acknowledged.

**Aurali Dade**, Assistant VP, Research Compliance, Office of Research Integrity and Assurance<sup>18</sup>

Stough's replacement as recipient of formal complaints, was sent [MAS2013a] on 05/28/13, acknowledged.

<sup>14</sup> [historyarthistory.gmu.edu/people/pstearns](http://historyarthistory.gmu.edu/people/pstearns)

<sup>15</sup> [spgia.gmu.edu/faculty-staff/faculty/roger-r-stough](http://spgia.gmu.edu/faculty-staff/faculty/roger-r-stough)

<sup>16</sup> [universitycounsel.gmu.edu/contact-us/](http://universitycounsel.gmu.edu/contact-us/)

<https://gazette.gmu.edu/articles/7826>

[administration.gmu.edu/presidentscouncil/#moncure](http://administration.gmu.edu/presidentscouncil/#moncure)

<sup>17</sup> This seemed an odd mix for assessing alleged plagiarism in paleoclimate and social network analysis, but **they** unanimously recommended an investigation.

<sup>18</sup> [oria.gmu.edu/contact-us](http://oria.gmu.edu/contact-us)

[newsdesk.gmu.edu/2012/03/transitions-march-19-2012](http://newsdesk.gmu.edu/2012/03/transitions-march-19-2012); see also LinkedIn/

'**Aurali Dade** is the new assistant vice president for research compliance in the Office of Research and Economic Development.'

<sup>13</sup> Wegman "blamed" her for SNA plagiarism, except not really. [MAS2011a]

**Miscellaneous**

**Stanley Azen**, USC, past Editor-in-Chief of *CSDA*, accepted [SAI2008] in a few days, bypassing peer review [MAS2011a]

**Hadi Rezazad**, Wegman PhD student [REZ2009], mentioned here for issues with [REZ2011] and resulting concerns over peer review at WIREs:CS, yet to be addressed publicly

**Milton Johns**, lawyer for Wegman and Said, GMU J.D., previously law partner [MAS2011d] of VA AG

**Ken Cuccinelli** unsuccessfully pursued Mann and U VA for years,<sup>19</sup> with his deputy **Wesley Russell**, also GMU JD, §V.1.

**Unknown**, the paleoclimate technical detail in some of Cuccinelli's CIDs seemed unlikely to be known by Cuccinelli and Russell.  
*Did they have help, and if so, who helped?*

**David Schnare**,<sup>20</sup> GMU JD, Adjunct Law Professor at GMU, key person in groups that seem to exist to use FOIAs and lawsuits to harass scientists like Mann and Hughes [MAS2012c §A.6.2] and has often cited WR for credibility, §V.2.

**Wiley WIREs:CS and related people**

**Edward Wegman, David Scott, Yasmin Said –Editors 2009- David Scott** - sole Editor ~July 2012-February 2013<sup>21</sup>

**Wiley management, others, as per §Q.1**

*(Most were people we tried to contact, only 3 Bold ever responded)*

Cassie (Cassandra) Strickland, Associate Editor for WIREs:CS, 1<sup>st</sup> contact, Denver

Geoff Reynolds – unknown, mentioned in Wiley contract

**Stephen Quigley, Associate Publisher** (3 responses), Massachusetts

Janet Bailey, VP and Publisher, Hoboken

Roy Kaufman rkaufman Copied on 05/12/11 email from Quigley

Peter Booth Wiley Chairman BoD (1 response, but to someone else)

Bradford Wiley II

Deborah E. Wiley, previous VP Communications

Sean Pidgeon, VP and Publisher

Gary Rinck, General Counsel

Edward Wates, VP and Director, Global Content Management

Susan Spilka, VP Communications

**Helen Bray**, Director Communications (UK) (3 responses)

Chris Graf, Associate Editorial Director, also COPE Treasurer

**Michael Preston** (1 Ack)

11 WIREs:CS Editorial Advisors as of 10/28/1, §Q.2.1

BoD members, as of 04/xx/12, §Q.3.2

Editors of other WIREs journals, §Q.4.1

<sup>21</sup>**James Gentle** and **Karen Kafadar** joined Scott as Co-Editors. ~March 2013.

They are well-published and editorially-experienced statisticians with strong records of statistical community professional service, of which taking over WIREs:CS may be a good example, as it certainly seems better run now.

[mason.gmu.edu/~jgentle](http://mason.gmu.edu/~jgentle)

[mason.gmu.edu/~jgentle/students.htm](http://mason.gmu.edu/~jgentle/students.htm) strong words on plagiarism

[www.stat.virginia.edu/KarenKafadar.shtm](http://www.stat.virginia.edu/KarenKafadar.shtm)

[www.stat.virginia.edu/documents/cv14uva.pdf](http://www.stat.virginia.edu/documents/cv14uva.pdf) PhD student of John Tukey

**James W. Landwehr** replaced Kafadar no later than January 2014.

<https://web.archive.org/web/20130401000000/http://wires.wiley.com/WileyCDA/Section/id-398002.html?al=eb>

[historyarthistory.gmu.edu/people/pstearns](http://historyarthistory.gmu.edu/people/pstearns)

<sup>19</sup>[en.wikipedia.org/wiki/Attorney\\_General\\_of\\_Virginia%27s\\_climate\\_science\\_investigation](http://en.wikipedia.org/wiki/Attorney_General_of_Virginia%27s_climate_science_investigation)

<sup>20</sup> [www.desmogblog.com/david-schnare](http://www.desmogblog.com/david-schnare)

### 0.4 Key references

These are reasonably permanent descriptors for frequently-cited works, whereas others are just cited in footnotes for online convenience. Some URLs specify blog posts, and some include attached PDFs, and page numbers reference pages in those PDFs. Online, it can be useful to open an extra window on this section to lessen the need to jump back and forth.

BRA1999	xx/xx/99	<i>Paleoclimatology – Reconstructing Climates of the Quaternary Second Edition (misused in WR)</i>
BRA2011	06/21/11	Raymond S. Bradley, <i>Global Warming and Political Intimidation</i> , 2011.
DEE2009	12/17/09	Contrarian scholarship: Revisiting the Wegman Report <sup>22</sup>
DEE2009a	12/22/09	Wegman (and Rapp) on tree rings: A divergence problem, part 1 <sup>23</sup>
DEE2009b	12/22/09	A Comparison of (WR) 2.1 p.13-4 and (Bradley) section 10.2. <sup>24</sup>
DEE2010	01/16/10	Wegman (and Rapp) on proxies: A divergence problem part 2 <sup>25</sup>
DEE2010a	01/06/10	A comparison of (WR) section 2.1, p14-5 and (Bradley) 5.1,5.2,6.8” Files v2 and v31 use highlighting <sup>26</sup>
DEE2010b	01/07/10	Donald Rapp: More divergence problems. <sup>27</sup>
DEE2010c	01/07/10	Willie Soon and Sallie Baliunas ... (as quoted by Donald Rapp) <sup>28</sup>
DEE2010d	02/04/10	Steve McIntyre and Ross McKittrick, part 1: In the beginning <sup>29</sup>
DEE2010e	02/08/10	Steve McIntyre and Ross McKittrick, part 2: The full story behind the Barton-Whitfield investigation and the

<sup>22</sup> [deepclimate.org/2009/12/17/wegman-report-revisited](http://deepclimate.org/2009/12/17/wegman-report-revisited)

<sup>23</sup> [deepclimate.org/2009/12/22/wegman-and-rapp-on-tree-rings-a-divergence-problem-part-1](http://deepclimate.org/2009/12/22/wegman-and-rapp-on-tree-rings-a-divergence-problem-part-1)

<sup>24</sup> Newer file adds highlighting:

[deepclimate.files.wordpress.com/2010/07/wegman-bradley-tree-rings-v2-1.pdf](http://deepclimate.files.wordpress.com/2010/07/wegman-bradley-tree-rings-v2-1.pdf)

[deepclimate.files.wordpress.com/2009/12/wegman-bradley-tree-rings.pdf](http://deepclimate.files.wordpress.com/2009/12/wegman-bradley-tree-rings.pdf)

<sup>25</sup> [deepclimate.org/2010/01/06/wegman-and-rapp-on-proxies-a-divergence-problem-part-2](http://deepclimate.org/2010/01/06/wegman-and-rapp-on-proxies-a-divergence-problem-part-2)

<sup>26</sup> [deepclimate.files.wordpress.com/2010/09/wegman-bradley-ice-cores-corals-v31.pdf](http://deepclimate.files.wordpress.com/2010/09/wegman-bradley-ice-cores-corals-v31.pdf)

[deepclimate.files.wordpress.com/2010/07/wegman-bradley-ice-cores-corals-v2.pdf](http://deepclimate.files.wordpress.com/2010/07/wegman-bradley-ice-cores-corals-v2.pdf)

[deepclimate.files.wordpress.com/2010/01/wegman-bradley-ice-cores-corals1.pdf](http://deepclimate.files.wordpress.com/2010/01/wegman-bradley-ice-cores-corals1.pdf)

<sup>27</sup> [deepclimate.org/2010/01/07/donald-rapp-more-divergence-problems](http://deepclimate.org/2010/01/07/donald-rapp-more-divergence-problems)

DC analyzes examples of the use of “grey literature, Springer-Praxis.

<sup>28</sup> [deepclimate.files.wordpress.com/2010/01/rapp-soon-proxies-quotes.pdf](http://deepclimate.files.wordpress.com/2010/01/rapp-soon-proxies-quotes.pdf)

This has more useful analysis of the use of “grey literature.”

<sup>29</sup> [deepclimate.org/2010/02/04/steve-mcintyre-and-ross-mckittrick-part-1-in-the-beginning](http://deepclimate.org/2010/02/04/steve-mcintyre-and-ross-mckittrick-part-1-in-the-beginning)

		Wegman Panel <sup>30</sup>
DEE2010f	04/22/10	Wegman and Said on social networks: More dubious scholarship <sup>31</sup>
DEE2010g	04/15/10	A comparison of Ad Hoc Committee Report and Unattributed Sources <sup>32</sup>
DEE2010h	04/15/10	a comparison of Said, Wegman, et al and Unattributed Sources,” and 09/08/10: the newer version has color and includes the 3-way comparison with [SHA2008]. <sup>33</sup>
DEE2010j	07/29/10	Wegman Report update, part 1: More dubious scholarship in full colour <sup>34</sup>
DEE2010k	07/14/10	A comparison of Ad Hoc Committee Report ... and Various unattributed sources on noise models (mostly various Wikipedia articles) <sup>35</sup>
DEE2010m	08/03/10	What have Wegman and Said done ... lately? <sup>36</sup>
DEE2010n	08/19/10	McShane and Wyner, 2010 <sup>37</sup>
DEE2010p	09/15/10	Wegman report update, part 2: GMU dissertation review <sup>38</sup>
DEE2010q	09/xx/10	An Analysis and review of sections 1 and 2 of (McShane and Wyner) <sup>39</sup>
DEE2010r	11/16/10	Replication and due diligence, Wegman style <sup>40</sup> also [STO2011]

<sup>30</sup> [deepclimate.org/2010/02/08/steve-mcintyre-and-ross-mckittrick-part-2-barton-wegman](http://deepclimate.org/2010/02/08/steve-mcintyre-and-ross-mckittrick-part-2-barton-wegman)

<sup>31</sup> [deepclimate.files.wordpress.com/2010/09/said-et-al-social-networks-2.pdf](http://deepclimate.files.wordpress.com/2010/09/said-et-al-social-networks-2.pdf)  
[deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship](http://deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship)

<sup>32</sup> File v2 uses highlighting:

[deepclimate.files.wordpress.com/2010/07/wegman-social-networks-v-2.pdf](http://deepclimate.files.wordpress.com/2010/07/wegman-social-networks-v-2.pdf)

[deepclimate.files.wordpress.com/2010/04/wegman-social-networks1.pdf](http://deepclimate.files.wordpress.com/2010/04/wegman-social-networks1.pdf)

<sup>33</sup> [deepclimate.files.wordpress.com/2010/09/said-et-al-social-networks-2.pdf](http://deepclimate.files.wordpress.com/2010/09/said-et-al-social-networks-2.pdf)

[deepclimate.files.wordpress.com/2010/04/said-et-al-social-networks1.pdf](http://deepclimate.files.wordpress.com/2010/04/said-et-al-social-networks1.pdf)

<sup>34</sup> [deepclimate.org/2010/07/29/wegman-report-update-part-1-more-dubious-scholarship-in-full-colour](http://deepclimate.org/2010/07/29/wegman-report-update-part-1-more-dubious-scholarship-in-full-colour) Updates/summarizes earlier plagiarism discussions, adds color scheme similar to [MAS2010a], but with slightly different algorithms. More plagiarism is found in WR 2.2, pp.15-17, whose side-by-side is next.

<sup>35</sup> [deepclimate.files.wordpress.com/2010/07/wegman-principal-components-and-noise-models.pdf](http://deepclimate.files.wordpress.com/2010/07/wegman-principal-components-and-noise-models.pdf) A few paragraphs seem to have come from Joliffe (2002), and Rangajaran & Ding (ed) (2003).

<sup>36</sup> [deepclimate.org/2010/08/03/what-have-wegman-and-said-done-lately](http://deepclimate.org/2010/08/03/what-have-wegman-and-said-done-lately)

This describes the bizarre sessions at Interface 2010.

<sup>37</sup> [deepclimate.org/2010/08/19/mcshane-and-wyner-2010](http://deepclimate.org/2010/08/19/mcshane-and-wyner-2010)

<sup>38</sup> [deepclimate.org/2010/09/15/wegman-report-update-part-2-gmu-dissertation-review](http://deepclimate.org/2010/09/15/wegman-report-update-part-2-gmu-dissertation-review)

<sup>39</sup> [deepclimate.files.wordpress.com/2010/09/mcshane-wyner-1-and-2-analysis.pdf](http://deepclimate.files.wordpress.com/2010/09/mcshane-wyner-1-and-2-analysis.pdf)

<sup>40</sup> [deepclimate.org/2010/11/16/replication-and-due-diligence-wegman-style](http://deepclimate.org/2010/11/16/replication-and-due-diligence-wegman-style)

Very important, followed [MAS2010a]. *The WR had no claim to useful statistics.*

- DEE2010s 12/02/10 Wegman et al miscellany<sup>41</sup>
- DEE2010t 12/23/10 George Mason University's endless inquiry<sup>42</sup>
- DEE2011 01/06/10 Wegman on Deep Climate (and "climategate")<sup>43</sup>
- DEE2011a 03/26/11 Wegman and Said 2011: Yet More Dubious Scholarship in Full Colour, part 1<sup>44</sup>
- DEE2011b 03/16/11 Dubious Scholarship in Full Colour -Deep Climate Antecedents of Wegman&Said(2011) & Wegman(2002)<sup>45</sup>
- DEE2011c 05/15/11 Wegman and Said 2011, part 2<sup>46</sup>
- DEE2011d 05/15/11 Retraction of Said, Wegman et al 2008, part 1<sup>47</sup>
- DEE2011e 05/16/11 Retraction of Said, Wegman et al 2008, part 2<sup>48</sup>
- DEE2011f 06/07/11 Mining new depths in scholarship, part 1<sup>49</sup>
- DEE2011g 10/04/11 Said and Wegman 2009: Suboptimal Scholarship<sup>50</sup>
- DEE2011h 10/04/11 Suboptimal Scholarship: Antecedents of Said and Wegman 2009<sup>51</sup>
- DEE2012 02/22/12 GMU contradictory decisions on Wegman: Plagiarism in CSDA, but not in 2006 congressional report<sup>52</sup>
- DEE2012a 03/16/12 Wiley cover-up: Complete Wegman and Said "redo" hides plagiarism and errors<sup>53</sup>
- DEE2012b 07/13/12 Wegman and Said leave Wiley journal and Said disappears from GMU<sup>54</sup>
- DEE2013 03/10/13 James Gentle and Karen Kafadar take over at WIREs Computational Statistics<sup>55</sup>
- GEL2013 05/xx/13 To Throw Away Data: Plagiarism as a Statistical Crime<sup>56</sup>
- KIN2011a 06/02/11 Journal Retracts Disputed Network Analysis Paper on Climate, *Science*<sup>57</sup>
- KIN2011a 06/10/11 Computer Scientist Goes on Offensive to Defend Climate Scientists, *Science*<sup>58</sup>
- MAN2012 03/xx/12 Michel E. Mann, *The Hockey Stick and the Climate Wars...*, Crescendo to Climategate Cacophony<sup>59</sup>
- MAS2010 03/15/10 Strange Scholarship in the Wegman Report<sup>60</sup>
- MAS2010a 09/26/10 Strange Inquiries at George Mason University<sup>61</sup>
- MAS2011 01/04/11 Strange Tales and Emails – Said, Wegman, et al<sup>62</sup>
- MAS2011a 05/26/11 Strange Falsifications in the Wegman Report<sup>63</sup>
- MAS2011b 06/05/11 Curious coincidences at George Mason University: Ed Wegman, Milton Johns and Ken Cuccinelli<sup>64</sup>
- MAS2011d 10/30/11 See No Evil at George Mason University<sup>65</sup>
- MAS2012a 03/16/12 Ed Wegman Promised Data to Rep. Henry Waxman...<sup>66</sup>
- MAS2012b 07/13/12 See No Evil, Speak Little Truth, Break Rules, Blame Others
- MAS2012c 08/20/12 FOIA Facts: Ed Wegman, Yasmin Said, George Mason University<sup>67</sup> (*then- unpublished base for following posts*)
- MAS2013a 05/16/13 FOIA Facts 1 - More Misdeeds By Ed Wegman,

<sup>41</sup> [deepclimate.org/2010/12/02/wegman-et-al-miscellany](http://deepclimate.org/2010/12/02/wegman-et-al-miscellany)

<sup>42</sup> [deepclimate.org/2010/12/23/george-mason-universitys-endless-inquiry](http://deepclimate.org/2010/12/23/george-mason-universitys-endless-inquiry)

<sup>43</sup> [deepclimate.org/2011/01/06/wegman-on-deep-climate](http://deepclimate.org/2011/01/06/wegman-on-deep-climate)

<sup>44</sup> [deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour](http://deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour)

<sup>45</sup> <https://deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf>

<sup>46</sup> [deepclimate.org/2011/05/15/wegman-and-said-2011-part-2](http://deepclimate.org/2011/05/15/wegman-and-said-2011-part-2)

<sup>47</sup> [deepclimate.org/2011/05/15/retraction-of-said-wegman-et-al-2008-part-1](http://deepclimate.org/2011/05/15/retraction-of-said-wegman-et-al-2008-part-1)

<sup>48</sup> [deepclimate.org/2011/05/16/retraction-of-said-wegman-et-al-2008-part-2](http://deepclimate.org/2011/05/16/retraction-of-said-wegman-et-al-2008-part-2)

<sup>49</sup> [deepclimate.org/2011/06/07/mining-new-depths-in-scholarship-part-1](http://deepclimate.org/2011/06/07/mining-new-depths-in-scholarship-part-1)

<sup>50</sup> [deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship](http://deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship)

<sup>51</sup> <https://deepclimate.files.wordpress.com/2011/10/said-wegman-2009-suboptimal-scholarship-v12.pdf>

<sup>52</sup> [deepclimate.org/2012/02/22/gmu-contradictory-decisions-on-wegman-plagiarism-in-csda-but-not-in-congressional-report](http://deepclimate.org/2012/02/22/gmu-contradictory-decisions-on-wegman-plagiarism-in-csda-but-not-in-congressional-report)

<sup>53</sup> [deepclimate.org/2012/03/16/wiley-coverup-complete-wegman-and-said-redo-hides-plagiarism-and-errors](http://deepclimate.org/2012/03/16/wiley-coverup-complete-wegman-and-said-redo-hides-plagiarism-and-errors)

<sup>54</sup> [deepclimate.org/2012/07/13/wegman-and-said-leave-wiley-journal-and-said-disappears-from-gmu](http://deepclimate.org/2012/07/13/wegman-and-said-leave-wiley-journal-and-said-disappears-from-gmu)

<sup>55</sup> [deepclimate.org/2013/03/10/james-gentle-and-karen-kafadar-take-over-at-wires-computational-statistics](http://deepclimate.org/2013/03/10/james-gentle-and-karen-kafadar-take-over-at-wires-computational-statistics)

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[computational-statistics](http://computational-statistics)

<sup>56</sup> [www.americanscientist.org/issues/pub/to-throw-away-data-plagiarism-as-a-statistical-crime](http://www.americanscientist.org/issues/pub/to-throw-away-data-plagiarism-as-a-statistical-crime) Andrew Gelman, Thomas Basball, *American Scientist* May-June 2013, Volume 101, Number 3 Page: 168

<sup>57</sup> [news.sciencemag.org/2011/06/journal-retracts-disputed-network-analysis-paper-climate](http://news.sciencemag.org/2011/06/journal-retracts-disputed-network-analysis-paper-climate), Eli Kintisch.

<sup>58</sup> [www.sciencemag.org/content/332/6035/1250.summary](http://www.sciencemag.org/content/332/6035/1250.summary), Eli Kintisch

<sup>59</sup> [www.desmogblog.com/crescendo-climategate-cacophony](http://www.desmogblog.com/crescendo-climategate-cacophony) 185p

This was a major update and replacement for the rough earlier report attached to:

[www.desmogblog.com/plagiarism-conspiracies-felonies-breaking-out-wegman-file](http://www.desmogblog.com/plagiarism-conspiracies-felonies-breaking-out-wegman-file)

WR discussion was a small part of ongoing research on climate anti-science

<sup>60</sup> [deepclimate.org/2010/09/26/strange-scholarship-wegman-report](http://deepclimate.org/2010/09/26/strange-scholarship-wegman-report) 250p

<sup>61</sup> [www.desmogblog.com/gmu-still-paralyzed-wegman-and-rapp-still-paranoid](http://www.desmogblog.com/gmu-still-paralyzed-wegman-and-rapp-still-paranoid) 45p

<sup>62</sup> [www.desmogblog.com/mashey-report-reveals-wegman-manipulations](http://www.desmogblog.com/mashey-report-reveals-wegman-manipulations) 17p

<sup>63</sup> [www.desmogblog.com/wegman-report-not-just-plagiarism-misrepresentation](http://www.desmogblog.com/wegman-report-not-just-plagiarism-misrepresentation) 12p

<sup>64</sup> [www.desmogblog.com/curious-coincidences-george-mason-university-ed-wegman-milton-johns-and-ken-cuccinelli](http://www.desmogblog.com/curious-coincidences-george-mason-university-ed-wegman-milton-johns-and-ken-cuccinelli)

<sup>65</sup> [www.desmogblog.com/see-no-evil-george-mason-university](http://www.desmogblog.com/see-no-evil-george-mason-university) 44p

<sup>66</sup> [www.desmogblog.com/ed-wegman-promised-data-rep-henry-waxman-six-years-ago-where-it](http://www.desmogblog.com/ed-wegman-promised-data-rep-henry-waxman-six-years-ago-where-it)

<sup>67</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/FOIA.Facts\\_.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/FOIA.Facts_.pdf)

This was the 170-page base report for FOIA Facts 1-4 [MAS2013b-e].

	Yasmin Said, George Mason University <sup>68</sup>	SAI2008R	05/15/11	SAI2008 RETRACTED by Elsevier <sup>80</sup> ( <i>approx date</i> )
MAS2013c	05/21/13 FOIA Facts 2 - No Pro Bono - Federal Funds Mis-Used For Wegman Report And Much More <sup>69</sup>	SAI2009	07/13/09	Roadmap for Optimization <sup>81</sup>
MAS2013d	05/21/13 FOIA Facts Spreadsheet <sup>70</sup>	SAI2010	xx/xx/10	Author–Coauthor Social Network and Emerging Scientific Subfields, <sup>71, 82</sup>
MAS2013e	05/22/13 FOIA Facts 3 - More Plagiarism - Get Grants Or Claim Credit <sup>71</sup>	SHA2008	10/31/08	<i>Multi-Mode and Evolutionary Networks</i> <sup>83</sup>
MAS2013f	05/23/13 FOIA Facts 4 - George Mason Takes The Money And Breaks The Rules <sup>72</sup>	STE2012	02/22/12	GMU Provost Peter Stearns letter to faculty <sup>84</sup>
MAS2013g	06/05/13 FOIA Facts 5 - Finds Friends Of GWPF <sup>73</sup>	STO2011	06/08/11	Effect of selection in the Wegman Report <sup>85</sup> also [DEE2010r]
MAS2015i	05/19/15 Ed Wegman, Yasmin Said, Milt Johns Sue John Mashey for \$2 Million <sup>74</sup> <i>Blog post where this report is attached.</i>	STO2014a	09/26/14	There's more to life than PC1 <sup>86</sup>
NAT2011	05/26/11 Copy and paste, <i>Nature</i> Editorial <sup>75</sup>	STO2014b	09/28/14	More ClimateBall at Climate Audit <sup>87</sup>
POW2011	xx/xx/11 James Lawrence Powell, <i>The Inquisition of Climate Science</i>	STO2014c	09/30/14	What Steve McIntyre won't show you - now <sup>88</sup>
REZ2009	Spring'09 <i>Enhancement of Network Robustness and Efficiency through Evolutionary Computing, Statistical Computation and Social Network Analysis</i> <sup>76</sup>	STO2014d	10/01/14	Analysis of short-centered PCA <sup>89</sup>
REZ2011	01/01/11 Computer Network Optimization <sup>77</sup>	USA2011	05/16/11	America, pick your climate choices, <i>USA Today</i> editorial <sup>90</sup>
SAI2007	09/09/97 Experiences with Congressional Testimony: Statistics and The Hockey Stick <sup>78</sup>	VER2010	10/08/10	University investigating prominent climate science critic <sup>91</sup>
SAI2008	01/10/08 Social networks of author–coauthor relationships, <sup>79</sup> <i>CSDA</i>	VER2010a	11/22/10	Experts claim 2006 climate report plagiarized <sup>92</sup>

<sup>68</sup> [www.desmogblog.com/foia-facts-1-more-misdeeds](http://www.desmogblog.com/foia-facts-1-more-misdeeds)

<sup>69</sup> [www.desmogblog.com/foia-facts-2-no-pro-bono-federal-funds-mis-used](http://www.desmogblog.com/foia-facts-2-no-pro-bono-federal-funds-mis-used)

<sup>70</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet.xls](http://www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet.xls)

<sup>71</sup> [www.desmogblog.com/foia-facts-3-more-plagiarism-get-grants-claim-credit](http://www.desmogblog.com/foia-facts-3-more-plagiarism-get-grants-claim-credit)

<sup>72</sup> [www.desmogblog.com/foia-facts-4-george-mason-takes-the-money-breaks-the-rules](http://www.desmogblog.com/foia-facts-4-george-mason-takes-the-money-breaks-the-rules)

<sup>73</sup> [www.desmogblog.com/foia-facts-5-finds-friends-gwfp](http://www.desmogblog.com/foia-facts-5-finds-friends-gwfp)

Unlike the previous FOIA Facts, this was not really about Wegman, Said or GMU

<sup>74</sup> [www.desmogblog.com/2015/05/19/ed-wegman-yasmin-said-milt-johns-sue-john-mashey-2-million](http://www.desmogblog.com/2015/05/19/ed-wegman-yasmin-said-milt-johns-sue-john-mashey-2-million) many files are just attached here, rather than being linked.

<sup>75</sup> [www.nature.com/nature/journal/v473/n7348/full/473419b.html](http://www.nature.com/nature/journal/v473/n7348/full/473419b.html)

<sup>76</sup> Hadi Rezazad, PhD Dissertation [gradworks.umi.com/33/64/3364566.html](http://gradworks.umi.com/33/64/3364566.html)

<sup>77</sup> Hadi Rezazad, WIREs:CS, 3: 3 4 – 46. See analysis in [www.desmogblog.com/sites/beta.desmogblog.com/files/strange.scholarship.W.5.10.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/strange.scholarship.W.5.10.pdf) [onlinelibrary.wiley.com/doi/10.1002/wics.135/abstract](http://onlinelibrary.wiley.com/doi/10.1002/wics.135/abstract)

First online 11/02/10.

<sup>78</sup> [www.galaxy.gmu.edu/stats/colloquia/AbstractsFall2007/TalkSept7.pdf](http://www.galaxy.gmu.edu/stats/colloquia/AbstractsFall2007/TalkSept7.pdf) original

MAS2010a §A.11, pp.89-95 has heavily-annotated copy of SAI2007.

[https://web.archive.org/web/20100501000000\\*/http://www.galaxy.gmu.edu/stats/colloquia/AbstractsFall2007/TalkSept7.pdf](https://web.archive.org/web/20100501000000*/http://www.galaxy.gmu.edu/stats/colloquia/AbstractsFall2007/TalkSept7.pdf) Snapshots in 2010, then disappeared.

<sup>79</sup> Yasmin H. Said, Edward J. Wegman, Walid K. Sharabati, John T. Rigsby, “Social networks of author–coauthor relationships,” *Computational Statistics & Data Analysis* 52 (2008) 2177 – 2184. Recvd 8 July 2007; accepted 14 July 2007.

<sup>80</sup> [www.sciencedirect.com/science/article/pii/S0167947307002861](http://www.sciencedirect.com/science/article/pii/S0167947307002861)

This was a real retraction notice, with link to article marked RETRACTED, freely available. It did not include the word “plagiarism” but was quite clear. Wegman and Said used text they claimed thought to be Denise Reeves’ original work, somehow forgot that, and the text was re-used in dissertations and other papers.

<sup>81</sup> Yasmin H. Said and Edward J. Wegman, WIREs:CS, *Volume 1, Issue 1, pages 3-11, July/August 2009. Online July 13, 2009.*

<sup>82</sup> Yasmin H. Said, Edward J. Wegman, and Walid K. Sharabati, F. Palumbo et al. (eds.), *Data Analysis and Classification*, Studies in Classification, Data Analysis, and Knowledge Organization, ©Springer-Verlag 2010, pp.257-268

[link.springer.com/chapter/10.1007%2F978-3-642-03739-9\\_30?LI=true](http://link.springer.com/chapter/10.1007%2F978-3-642-03739-9_30?LI=true)

<sup>83</sup> Walid Sharabati, PhD Dissertation

[digilib.gmu.edu:8080/dspace/bitstream/1920/3384/1/Sharabati\\_Walid.pdf](http://digilib.gmu.edu:8080/dspace/bitstream/1920/3384/1/Sharabati_Walid.pdf)

[DEE2010p] and [MAS2012c §W.5.7] discuss the plagiarism problems.

<sup>84</sup> [content.usatoday.com/communities/sciencefair/post/2012/02/george-mason-university-reprimands-edward-wegmand-1](http://content.usatoday.com/communities/sciencefair/post/2012/02/george-mason-university-reprimands-edward-wegmand-1) [retractionwatch.files.wordpress.com/2012/02/stearnslettermashey.pdf](http://retractionwatch.files.wordpress.com/2012/02/stearnslettermashey.pdf)

<sup>85</sup> [moyhu.blogspot.com/2011/06/effect-of-selection-in-wegman-report.html](http://moyhu.blogspot.com/2011/06/effect-of-selection-in-wegman-report.html) Nick Stokes

<sup>86</sup> [moyhu.blogspot.com/2014/09/theres-more-to-life-than-pc1.html](http://moyhu.blogspot.com/2014/09/theres-more-to-life-than-pc1.html) Nick Stokes

<sup>87</sup> [moyhu.blogspot.com/2014/09/more-climateball-at-climate-audit.html](http://moyhu.blogspot.com/2014/09/more-climateball-at-climate-audit.html) Nick Stokes

<sup>88</sup> [moyhu.blogspot.com/2014/09/what-steve-mcintyre-wont-show-you-now.html](http://moyhu.blogspot.com/2014/09/what-steve-mcintyre-wont-show-you-now.html)

<sup>89</sup> [moyhu.blogspot.com/2014/10/analysis-of-short-centered-pca.html](http://moyhu.blogspot.com/2014/10/analysis-of-short-centered-pca.html) Nick Stokes

<sup>90</sup> [usatoday30.usatoday.com/news/opinion/editorials/2011-05-16-Report-puts-climate-change-deniers-in-hot-seat\\_n.htm](http://usatoday30.usatoday.com/news/opinion/editorials/2011-05-16-Report-puts-climate-change-deniers-in-hot-seat_n.htm)

<sup>91</sup> [content.usatoday.com/communities/sciencefair/post/2010/10/wegman-plagiarism-investigation-1](http://content.usatoday.com/communities/sciencefair/post/2010/10/wegman-plagiarism-investigation-1) UPDATE 05/26/11 on Walsch comments

<sup>92</sup> [www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned\\_N.htm](http://www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned_N.htm)

- VER2010b 11/23/10 Climate science critic responds to allegations<sup>93</sup>  
 VER2010c 11/23/10 Wegman report round-up<sup>94</sup>  
 VER2011 05/15/11 Climate study gets pulled after charges of plagiarism<sup>95</sup>  
 VER2011a 05/16/11 Retracted climate critics' study panned by expert<sup>96</sup>  
 VER2011b 10/05/11 More Wikipedia copying from climate critics<sup>97</sup>  
 VER2012 02/22/12 Univ. reprimands climate science critic for plagiarism<sup>98</sup>  
 WEB2014 02/25/14 *False Feathers: A Perspective on Academic Plagiarism*<sup>99</sup>  
 WEG2006 07/16/06 Ad Hoc Committee Report On The 'Hockey Stick' Global  
 Climate Reconstruction  
 Wegman Report, usually called WR for brevity<sup>100</sup>  
 WEG2011 02/04/11 Color theory and design<sup>101</sup>

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<sup>93</sup> [usatoday30.usatoday.com/weather/climate/globalwarming/2010-11-22-plagiarism\\_N.htm](http://usatoday30.usatoday.com/weather/climate/globalwarming/2010-11-22-plagiarism_N.htm)

<sup>94</sup> [content.usatoday.com/communities/sciencefair/post/2010/11/wegman-report-round-up/1](http://content.usatoday.com/communities/sciencefair/post/2010/11/wegman-report-round-up/1)

<sup>95</sup> [www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman\\_n.htm](http://www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman_n.htm)

<sup>96</sup> [content.usatoday.com/communities/sciencefair/post/2011/05/retracted-climate-critics-study-panned-by-expert-/1](http://content.usatoday.com/communities/sciencefair/post/2011/05/retracted-climate-critics-study-panned-by-expert-/1)

<sup>97</sup> [content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1](http://content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1) This mentioned findings by Andrew Gelman and DC, but not the ongoing formal complaints to Wiley.

<sup>98</sup> [content.usatoday.com/communities/sciencefair/post/2012/02/george-mason-university-reprimands-edward-wegman-/1](http://content.usatoday.com/communities/sciencefair/post/2012/02/george-mason-university-reprimands-edward-wegman-/1)

<sup>99</sup> [www.amazon.com/False-Feathers-Perspective-Academic-Plagiarism/dp/3642399606](http://www.amazon.com/False-Feathers-Perspective-Academic-Plagiarism/dp/3642399606) Debora Weber-Wolff, 2014, Chapter 4 on VroniPlag

<sup>100</sup> [https://web.archive.org/web/20060716210311/http://energycommerce.house.gov/108/home/07142006\\_Wegman\\_Report.pdf](https://web.archive.org/web/20060716210311/http://energycommerce.house.gov/108/home/07142006_Wegman_Report.pdf) 91p

<sup>101</sup> Edward Wegman and Yasmin Said, [onlinelibrary.wiley.com/doi/10.1002/wics.146/abstract](http://onlinelibrary.wiley.com/doi/10.1002/wics.146/abstract)

## 1 Background – plagiarism and its reporting

Academia and journalism discourage plagiarism, and often call reporting it duty.<sup>102</sup> Plagiarism can generate copyright problems, retractions, and even felony allegations. Online communities often share efforts:<sup>103</sup>

- Someone must happen to notice likely plagiarism.
- Sometimes, entire papers are copied. More often, people use “mosaic plagiarism” or “patchwriting” to stitch together multiple sources, sometimes with trivial edits to hamper computer-based checkers.
- At right, exact matches (perhaps with moves) are highlighted cyan and obvious trivial edits yellow, the latter hard to rationalize as innocent inclusion of text meant to be quoted and properly attributed. Well-displayed major plagiarism speaks for itself (*res ipsa loquitur*), even if identified anonymously. Sadly, anonymous complainants may not be treated very seriously, and others have to help.
- Formal complaints must be sent to institutions, editors or publishers. Some execute well-specified procedures with alacrity and transparency. Others can prove to be unresponsive,<sup>104</sup> especially if the plagiarism is awkward, as in some cases here.
- Sometimes, complaints seem stonewalled, and action only occurs later with multiple complaints, publicity or perhaps copyright complaints from publishers. This occurred at GMU, Wiley and with some others, although Elsevier acted well.
- **Wiley’s Helen Bray excused the kind of text at right:** ‘some of the citations to sources could have been made more clearly.’

<sup>102</sup> <https://www.google.com/search?q=plagiarism+duty+report+retractionwatch.com;>

[WEB2014] includes a German group that has exposed many cases, sharing work. Quite a few people despise plagiarism enough to spend substantial time documenting it.

<sup>104</sup> After time, honest effort and stonewalling clearly diverge.

## 1. Introduction

Pseudonymous blogger Deep Climate (DC) dissected [SAI2009] in [DEE2011, DEE2011h], with 24 pages of side-by-side comparisons shown in §P.4.8.<sup>105</sup> The page below became well-known for a plagiarism-created math error. Someone copied text from *Wikipedia*, losing subscript 2<sup>n</sup>, then edited resulting  $2n$  to  $2d$ , not noticing the error, §E.2013.05. Cubes have 8 vertices, not 6.

### Said & Wegman (2009) [SAI2009] PDF pp.6-7 ← Paragraphs from several Wikipedia pages

LINEAR PROGRAMMING (cont.)  
Simplex Algorithm (cont.)  
Para 6

Klee and Minty<sup>3</sup> developed a linear programming problem in which the polytope  $P$  is a distortion of a  $d$ -dimensional cube. In this case, the simplex method visits all  $2d$  vertices before arriving at the optimal vertex. Thus the worst-case complexity for the simplex algorithm is exponential time.

However, the simplex method is remarkably efficient in practice. The simplex algorithm has polynomial-time average-case complexity under various distributions.

The computational formulation of the simplex algorithm will appear in another study.

LP - Interior Point Methods and Karmarkar’s Algorithm (p.7)  
Para 7

Karmarkar’s algorithm was introduced by Karmarkar<sup>4</sup> as a polynomial-time algorithm for solving linear programming problems. Although Dantzig’s simplex method usually performs well in practical problems, as noted above, it can in principle have exponential complexity. Karmarkar’s algorithm guarantees polynomial time complexity and is reasonably efficient in practice.

If  $d$  is the number of variables and  $L$  is the number of bits input to the algorithm.

the runtime of Karmarkar’s algorithm is  $O(d^{3/2} L^2 \ln(L) \ln(\ln(L)))$ .

Wikipedia – Simplex Algorithm – Overview (para. 5-6)

In 1972, Klee and Minty<sup>[2]</sup> gave an example of a linear programming problem in which the polytope  $P$  is a distortion of an  $n$ -dimensional cube. They showed that the simplex method as formulated by Dantzig visits all  $2^n$  vertices before arriving at the optimal vertex. This shows that the worst-case complexity of the algorithm is exponential time. Since then it has been shown that for almost every deterministic rule there is a family of simplices on which it performs badly. It is an open question if there is a pivot rule with polynomial time, or even sub-exponential worst-case complexity.

Nevertheless, the simplex method is remarkably efficient in practice. It has been known since the 1970s that it has polynomial-time average-case complexity under various distributions.

Wikipedia - Karmarkar's algorithm

Karmarkar's algorithm is an algorithm introduced by Narendra Karmarkar in 1984 for solving linear programming problems.

It was the first reasonably efficient algorithm that solves these problems in polynomial time. The ellipsoid method is also polynomial-time but proved to be inefficient in practice. Where  $n$  is the number of variables and  $L$  is the number of bits of input to the algorithm, Karmarkar's algorithm requires  $O(n^{3.5}L)$  operations on  $O(L)$  digit numbers, as compared to  $O(n^2L)$  such operations for the ellipsoid algorithm.

The runtime of Karmarkar's algorithm is thus  $O(n^{3.5} L^2 \cdot \ln L \cdot \ln \ln L) \dots$

As seen in §P.A.3 and §Q, others<sup>106</sup> communicated with Wiley.

**Is this plagiarism or not?** For any academic, editor or publisher who says **not plagiarism**, ~100 pages of text by Wegman, Said or their students, are dissected like this, available online, §G. Many show ~50% cyan and ~10-20% yellow. Such could be incorporated into plagiarism guides to show **not-plagiarism** examples *that students, faculty and authors would appreciate*.

<sup>105</sup> The example above is [DEE2011h p.24]. DC built on earlier work by *deepclimate.org* commenters with more analysis to create the highlighted display, as done earlier for [WEG2011], shown in §P.4.7.

<sup>106</sup> DC has reason to remain pseudonymous. Others help by filing complaints.

## 2 Wegman Report (2006) and 2009-2013 fallout

George Mason University (GMU) Professor **Edward Wegman** was recruited to cast doubt on the 1999 climate “hockey stick” of Michael Mann, Raymond Bradley and Malcom Hughes. He led the 2006 “Wegman Report” (WR) promoted to Congress as “independent, impartial, expert” work by a team of “eminent statisticians.” *That description was mostly false.* Much of the work was done by very junior people, and was pervaded by incompetence, even on statistics. The claim of *pro bono* work was also revealed as false by later FOIA requests [MAS2013c], as Wegman and Said had claimed credit for the WR towards Federal grants.

### Deep Climate (DC) exposed problems, stirred community efforts

In 2009 Canadian blogger Deep Climate (DC) unearthed a few pages of WR plagiarism<sup>107</sup> and found more later, such as 5.5p of plagiarized Social Network Analysis (SNA) text, **much copyrighted**. Of that 1.5p was re-used by Said, Wegman, Sharabati, Rigsby [SAI2008], which Ack'd 3 Federal grants, published in an Elsevier journal. Some of the copyrighted text was re-used in 2 PhD dissertations and a Wegman grant proposal.

Each discovery generated more leads, connections, and problems, in a community effort summarized in past reports:

- The people, organization and machinery of climate anti-science, following a coherent political strategy over many years [MAS2010].
- As a step in that strategy, the recruitment of Edward Wegman and creation of the WR, filled with errors, plagiarisms and untruths, but very well-connected with the machinery above and well-marketed by US Representatives and the *Wall Street Journal* [MAS2010a].
- Once found, plagiarism was easy for almost all to see, except Wegman, GMU, Wiley and a few others. WR falsifications were harder to explain to non-experts, but done later [DEE2010r, MAS2011b, STO2011].
- GMU seriously and even falsely mishandled a relatively simple academic misconduct complaint, and odd connections emerged. [MAS2011, MAS2011a, MAS2011d, MAS2012c, MAS2013b-f]

Based on DC's posts, in March-May 2010 Raymond Bradley filed formal complaints against Wegman for those works.

A community effort at *deepclimate.org* developed in which other people examined papers and kept finding problems. Some filed complaints. I found pervasive problems with the WR and alleged that 35 of 91 pages included plagiarism [MAS2010a], which inspired articles in *USA Today* [VER2010, VER2010a-c] and elsewhere. DC documented serious statistics problems [DEE2010r], as did Nick Stokes [STO2011]

### Elsevier followed procedures, acts promptly, demands retraction

In late2010/early 2011, at least I and Ted Kirkpatrick (Simon Fraser University) filed complaints against [SAI2008] with Elsevier, who followed their procedures expeditiously. Within 5 months they forced retraction over Wegman's pleas to be allowed to rewrite [MAS2011a]. He failed then, but succeeded later with Wiley for much bigger rewrites. This retraction got some publicity, §E, [DEE2011d, DEE2011e].

### GMU Provost sends misleading letter to faculty, stonewall continues

After a long, opaque process criticized by *Nature* and others, in February 2012, GMU admitted to plagiarism in the *Elsevier* paper, but minimally, but nothing else [DEE2012, MAS2012a, MAS2012c, MAS2013f]. It had taken ~2 years to assess less than 10 pages of well-documented plagiarism allegations and the conclusions were contradictory.

GMU Provost **Peter Stearns** wrote to faculty, but many of his statements were later refuted by FOIA replies. Nothing else was under investigation. Complaints to GMU, no matter how well documented, simply disappeared and repeated inquiries have stonewalled.<sup>108</sup>

GMU changed policies to become even more opaque [MAS2013f]:<sup>109</sup>

**‘nor shall the University reveal the nature or substance of the evidence or reasoning employed throughout the proceedings.’**

Despite complaints filed with and acknowledged by GMU's Aurali Dade in May 2013 [MAS2013a] zero visible results of any sort have occurred. Wegman remains on Promotion and Tenure committee as of April 2015.<sup>110</sup>

<sup>108</sup> Complainants were supposed to be informed at certain points. GMU did not.

<sup>109</sup> All available evidence shows GMU did not properly notify Federal agencies regarding [SAI2008], despite promises. *Does this mean GMU promises never to tell Federal funders anything relevant? There are rules about that.*

<sup>110</sup> [web.archive.org/web/20130209080733/http://cos.gmu.edu/sites/default/files/CO\\_S\\_Committees\\_Elected\\_2012\\_0.pdf](http://web.archive.org/web/20130209080733/http://cos.gmu.edu/sites/default/files/CO_S_Committees_Elected_2012_0.pdf)

<sup>107</sup> [deepclimate.org/2009/12/17/wegman-report-revisited](http://deepclimate.org/2009/12/17/wegman-report-revisited); [deepclimate.org/2009/12/22/wegman-and-rapp-on-tree-rings-a-divergence-problem-part-1](http://deepclimate.org/2009/12/22/wegman-and-rapp-on-tree-rings-a-divergence-problem-part-1); [deepclimate.files.wordpress.com/2010/01/wegman-bradley-ice-cores-corals1.pdf](http://deepclimate.files.wordpress.com/2010/01/wegman-bradley-ice-cores-corals1.pdf); [deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship](http://deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship) among the earliest of dozens

### 3 Wegman, Said and Wiley

In March 2011, DC found and displayed extensive re-use of unattributed text<sup>111</sup> in Wegman and Said (2011) [WEG2011] published in WIREs:CS journal they Co-Edited for Wiley.<sup>112</sup> Some was very hard to find.

A community effort found similar problems in Said and Wegman (2009) [SAI2009], but with less work, given heavy copying from *Wikipedia*.

During late March and April 2011, I collected issues and sent to Wiley:

- [WEG2011] problems, well-documented by [DEE2011a]
- [SAI2009] problems not yet thoroughly documented, but some examples
- Said's false rank (Professor) and affiliation (Oklahoma State U).

In May, Ted Kirkpatrick (Simon Fraser University) assembled a more detailed analysis of [SAI2009]. I got back a few plausible replies from **Stephen Quigley** saying they took this seriously, so I waited 4 months (September) before asking again **§Q.1**. Said's false affiliation only got fixed then, but his reply discouraged any expectation of proper action.

I emailed the *WIREs:CS* Editorial Advisory Board, since after all, their names were associated, **§Q.2**.

Nothing seemed to happen until late March 2012 when [DEE2012a] showed that the papers had been pervasively rewritten to address the issues reported Wiley, with minimal notice and no admission of problems. Unlike *Elsevier*, *Wiley* had allowed massive rewrites to obscure plagiarism. Given the rarity of this kind of event, people were stunned. Commenter David Graves offered to help by writing to Wiley Board and other executives, which we did in late March/April, **§Q.3**.

We got no response from them, but finally got emails from **Helen Bray**, UK Communications Director, **§Q.4**. She gave us a few meagre responses with poorly-backed claims that there had been no plagiarism.

We were stonewalled and it was **clear that Wiley was not listening to us**.

<sup>111</sup>DEE2011a, DEE2011b, and DEE2011c

<sup>112</sup> It can be fine for Editors to publish in their own journal, but one must take great care regarding Conflict of Interest and quality of peer review.

### Surprise disappearance

Shortly thereafter, Wegman and Said silently disappeared from masthead, leaving only David Scott. Said was no longer in the GMU directory. Graves kept asking, but a month after their disappearance, our only contact (in UK) told us they had taken the plagiarism charges seriously, and the revised articles were adequately attributed.

*That makes little sense.* If Wiley recognized plagiarism, retraction was required, not massive rewrites that normal authors would not be allowed.<sup>113</sup> If Wiley really thought there was no plagiarism, why were there huge rewrites, and later, why were Wegman and Said forced to resign? Graves and I had been totally stonewalled by Bray. Wiley surely had not dismissed Wegman and Said just for **our** letters. Perhaps someone else was more persuasive, but plagiarism was certainly cause for dismissal. At least one outside Director (Linda Katehi) and an unknown other WIREs editor forwarded emails with (redacted) comments to Wiley. Maybe they had some influence, or others wrote.

In March 2015 I found that Wegman and Said had each sued me (and John Doe) for \$1,000,000 for tortious interference with their contracts and conspiracy. They had started in mid-2014, but nobody told me. They unethically subpoenaed Wiley and GMU without notifying me. Apparently, if Editors commit blatant plagiarism and lose their jobs, Wegman, Said and Johns thought complainants should be sued. Had Wiley dismissed them without cause, they could have sued Wiley. One can see why some people remain anonymous, especially to report plagiarism, which stands as its own evidence.

Of course, the lawsuits were just as incompetent as the WR, filled with false claims about simple facts, filed in the wrong venue, and executed with dubious tactics. A year after suits were filed, and subpoenas issued without proper certifications, all without notification, I finally got served.

*After creating a month of efforts by lawyers and me, they voluntarily dismissed this farcical case, having wasted others' time, effort and money. That did avoid a likely potential dismissal with prejudice, possible "frivolous lawsuit" claims, discussions of unethical subpoenas, and hearings that could have led to interesting "discovery" and calling of witnesses to answer many questions, §0.3. In some sense, too bad.*

<sup>113</sup> Wegman had asked for a much lesser rewrite at Elsevier and was denied.

**A. Court history of Wegman/Said case**

**A.1 Fairfax Circuit Court Virginia**

This is excerpted from Attachment 3-4 of Federal Court record.<sup>114</sup>

Here, legal “irregularities” are highlighted pink and explained §A.2, but the most important examples are the subpoenas to Wiley and GMU done without informing the defendant. The year-long delay from filing the case to actually serving the defendant notice is also odd.

The chronology raises interesting questions.

- 03/10/14 Complaint filed
- 04/15/14 Subpoena to Wiley, *perhaps intended to find John Doe(s)?*  
My early involvement was certainly known [MAS2012a].
- 06/02/14 Wiley responds to subpoena, §B.4 (added)
- 06/12/14- near-identical Said suit filed 06/11/14, court-dated 12<sup>th</sup>
- 06/13/14 GMU subpoena issued
- 06/14/14 Letter sent to DeSmog, §B.5

*Perhaps they got nothing from Wiley that would support Wegman’s case or identify new John Doe(s)? Maybe they hoped to get more from GMU? It is quite strange that lawsuits regarding Wiley contract termination only refer to WR plagiarism complaints to GMU, key ones by Bradley.*

Edward J Wegman vs. John Mashey, et al.				
05/30/2014	HEAR	Hearing Scheduled (Motion - 2 wk Civil Action 06/13/2014 10:00 AM No Judge 01-Johns-Plaintiff's Petition for Issuance of RTSC) 15.0 MINUTES	THOLL5	No Judge
	PET	Plaintiff's Petition for Issuance of Rule to Show Cause		
04/15/2014	SPS DT	Special Process Server Affidavit for Subpoena Duces Tecum on John Wiley & Sons Inc - IP/RA (Katie Bush)	BWHILD	No Judge
03/12/2014	ISSUED	Complaint: Issued for Service to John Doe on 3/12/2014; Assigned to SPECIAL PROCESS SERVER. Service Fee of \$0.00.	TWRIG6	No Judge
	ISSUED	Complaint: Issued for Service to John Mashey on 3/12/2014; Assigned to SPECIAL PROCESS SERVER. Service Fee of \$0.00.		
03/10/2014	COMPLAINT	Complaint Filed	CROEBU	No Judge
		Filing: Complaint (\$100,001 to \$500,000) Paid by: Johns, Milton C. (attorney for Wegman, Edward J) Receipt number: 0537326 Dated: 3/10/2014 Amount: \$296.00 (Check) For: Wegman, Edward J (plaintiff)		
	ATTY	Plaintiff: Wegman, Edward J Entry of Appearance/Attorney Retained Milton C. Johns		

**Edward J Wegman vs. John Mashey, et al.**

Date	Code	Action	Clerk	Judge
04/13/2015	NOT REMOVAL	Notice of Filing of Notice of Removal	MCASTE	Defendant
03/24/2015	ORD CONT	Continuance Order entered - May 28, 2015	RRAMIR	Tran, John M.
	CONT JUDGE	Continuance granted by judge - (Special Scheduling Conference - 03/24/2015 - 8:30 AM - No Judge - 4th Sch Conf (per BDW)) 0.0 MINUTES		
	HEAR	Hearing Scheduled (Scheduling Conference 05/28/2015 8:30 AM No Judge 5th sch conf) 0.0 MINUTES		
02/24/2015	ISSUED	Complaint Issued for Service to John Mashey on 02/24/2015; Assigned to SPECIAL PROCESS SERVER, Serve 4570 Alpine Rd., Portola Valley, CA 94028	JNEWK1	No Judge
09/11/2014	ORD CONT	Continuance Order entered - Scheduling Conference cont'd to 3/24/15	LGARC6	White, Bruce D.
	CONT JUDGE	Continuance granted by judge - (Scheduling Conference - 09/11/2014 - 8:30 AM - No Judge - 3rd Sch Conf) 0.0 MINUTES		
	HEAR	Hearing Scheduled (Special Scheduling Conference 03/24/2015 8:30 AM No Judge 4th Sch Conf (per BDW)) 0.0 MINUTES		
07/24/2014	ORD CONT	Continuance Order entered - Scheduling Conference cont'd to 9/11/14	LGARC6	Tran, John M.
	CONT JUDGE	Continuance granted by judge - (Scheduling Conference - 07/24/2014 - 8:30 AM - No Judge - 2nd Sch Conf) 0.0 MINUTES		
	HEAR	Hearing Scheduled (Scheduling Conference 09/11/2014 8:30 AM No Judge 3rd Sch Conf) 0.0 MINUTES		
07/01/2014	HEAR	Hearing Scheduled (Scheduling Conference 07/24/2014 8:30 AM No Judge 2nd Sch Conf) 0.0 MINUTES	LGARC6	No Judge
	NOSHO	No Show - (Special Scheduling Conference - 07/01/2014 8:30 AM - No Judge - 1st Scheduling Conference) 0.0 MINUTES		
	OFF	Off the docket - case removed from docket - (Motion - 2 wk Civil Action - 06/13/2014 - 10:00 AM - Brett A. Kassabian - 01-Johns-Plaintiff's Petition for Issuance of RTSC) 15.0 MINUTES	CBOMA1	Kassabian, Brett A.
	ORD	Order entered - Remove from docket at Plaintiff's request. (BAK)		
	SPS DT	Special Process Server Affidavit for Subpoena Duces Tecum on George Mason University - BU (Anastasia Uzilekaya, Legal Asst)		
06/04/2014	HEAR	Hearing Scheduled (Special Scheduling Conference 07/01/2014 8:30 AM No Judge 1st Scheduling Conference) 0.0 MINUTES	RWILLE	No Judge

02/26/15 - 03/17/15  
Ski trip in Canada  
Glad sevice after!

§B.5 06/14/2014  
Johns to DeSmog

§C 06/12/2014  
Said complaint

§B.4 06/02/2014  
Wiley responds

<sup>114</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/3-4.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/3-4.pdf)

**A.2 Federal Court**

The case records are publicly available via PACER,<sup>115</sup> but for convenience key files have been copied to *DeSmogBlog* and some are highlighted. Wegman History<sup>116</sup> is at right, with key steps discussed on next page. Said filed a separate, almost identical complaint,<sup>117</sup> thumb nailed below.

The poorly-written near-duplicate complaints were filed in the wrong venue, and were voluntarily withdrawn just before actual hearings started, after generating dozens of transactions and hundreds of pages of documents for VA and Federal courts. Obviously, it took much more time, effort and cost to defend the case than to make the complaints. *Was that the goal, as it often has been for harassment of climate scientists?* It also wasted court time and costs, but all is now on public record.

**Said, before consolidation**

1:15-cv-00486-TSE-TCB Said v. Mashey et al

T. S. Ellis, III, presiding  
Theresa Carroll Buchanan, referral  
Date filed: 04/13/2015  
Date terminated: 04/30/2015  
Date of last filing: 04/30/2015

Doc. No.	Dates	Description
1	Filed: 04/13/2015	Notice of Removal
	Entered: 04/16/2015	
2	Filed & Entered: 04/17/2015	Motion to Dismiss
	Terminated: 04/30/2015	
3	Filed & Entered: 04/17/2015	Brief in Support
4	Filed & Entered: 04/17/2015	Notice of Hearing Date
5	Filed & Entered: 04/17/2015	Motion to appear Pro hac vice
	Terminated: 04/28/2015	
6	Filed & Entered: 04/17/2015	Motion to appear Pro hac vice
	Terminated: 04/28/2015	
7	Filed & Entered: 04/17/2015	Motion to appear Pro hac vice
	Terminated: 04/28/2015	
8	Filed & Entered: 04/17/2015	Notice of Hearing Date
9	Filed & Entered: 04/30/2015	Set Motion and R&R Deadlines/Hearings
10	Filed & Entered: 04/28/2015	Motion for Miscellaneous Relief
	Terminated: 04/28/2015	
11	Filed & Entered: 04/28/2015	Brief in Support
12	Filed & Entered: 04/28/2015	Waiver of
13	Filed & Entered: 04/28/2015	Order on Motion for Pro hac vice
14	Filed & Entered: 04/28/2015	Order on Motion for Pro hac vice
15	Filed & Entered: 04/28/2015	Order on Motion for Pro hac vice
16	Filed & Entered: 04/28/2015	Order on Motion for Miscellaneous Relief
17	Filed & Entered: 04/29/2015	Resub
18	Filed & Entered: 04/29/2015	Case Assigned Reassigned
19	Filed & Entered: 04/29/2015	Set Motion and R&R Deadlines/Hearings
20	Filed & Entered: 04/29/2015	Motion for Miscellaneous Relief
	Terminated: 04/29/2015	
21	Filed & Entered: 04/29/2015	Brief in Support
22	Filed & Entered: 04/29/2015	Waiver of
23	Filed & Entered: 04/29/2015	Order on Motion for Miscellaneous Relief
24	Filed: 04/30/2015	Order
	Entered: 05/01/2015	

**Said, after consolidation**

1:15-cv-00486-TSE-TCB Wegman v. Mashey et al

T. S. Ellis, III, presiding  
Theresa Carroll Buchanan, referral  
Date filed: 04/13/2015  
Date terminated: 04/30/2015  
Date of last filing: 04/30/2015

**History**

Doc. No.	Dates	Description
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13	Filed & Entered: 04/28/2015	Waiver of
14	Filed & Entered: 04/28/2015	Order on Motion for Miscellaneous Relief
15	Filed & Entered: 04/28/2015	NOTICE
16	Filed & Entered: 04/29/2015	Motion for Miscellaneous Relief
	Terminated: 04/29/2015	
17	Filed & Entered: 04/29/2015	Brief in Support
18	Filed & Entered: 04/29/2015	Waiver of
19	Filed & Entered: 04/29/2015	Order on Motion for Miscellaneous Relief
20	Filed & Entered: 04/30/2015	Notice of Voluntary Dismissal
21	Filed & Entered: 04/30/2015	Notice of Voluntary Dismissal
22	Filed: 04/30/2015	So Ordered
	Entered: 05/01/2015	

1:15-cv-00486-TSE-TCB Wegman v. Mashey et al

T. S. Ellis, III, presiding  
Theresa Carroll Buchanan, referral  
Date filed: 04/13/2015  
Date terminated: 04/30/2015  
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20	Filed & Entered: 04/30/2015	Notice of Voluntary Dismissal
21	Filed & Entered: 04/30/2015	Notice of Voluntary Dismissal
22	Filed: 04/30/2015	So Ordered
	Entered: 05/01/2015	

- ← VA to Federal
- ← Motion to Dismiss
- ← Brief in support
- ← Get SSN's redacted
- ← Get SSN's redacted
- ← Ask consolidation
- ← Ask consolidation
- ← Voluntary dismissal
- ← Voluntary dismissal

<sup>115</sup> <https://www.pacer.gov>

Anyone can get an account for free, but many categories of records cost \$.10/page.

<sup>116</sup> <https://ecf.vaed.uscourts.gov/cgi-bin/iquery.pl> search for Wegman

<sup>117</sup> <https://ecf.vaed.uscourts.gov/cgi-bin/iquery.pl> search for Said

The most relevant files are attached,<sup>118</sup> rather than showing links in text.

**1 04/13/15 Notice of Removal – remove from state court to Federal**

*1-main.pdf* The request to remove to Federal court

*1-1.pdf* Exhibit A

**pp.2-7** Wegman complaint, originally filed 03/10/14.

**pp.8-29** Wiley contract with Wegman, Said, Scott, Solka.

Johns had neither filed this with court, nor with me when I was served, despite it being the crux of their complaint. My lawyers requested it, but it arrived 04/09/15, just a few days ahead of the original due date for reply.

**2 04/17/15 Motion to Dismiss (Mtd)**

*2-main.pdf* Summary of reasons to dismiss

**3 04/17/15 Brief in Support of Motion to Dismiss Complaint**

*3-main.pdf* 25 pages, main discussion

**p.15** ‘Additional evidence shows that Plaintiff’s failure to timely serve Defendant was actually *deliberate*. In the months following the commencement of this action, Plaintiff served attorney issued, document subpoenas on Wiley and George Mason University. (Ex. E, Subpoenas; Ex. B, Docket entries dated April 15, 2014 and June 13, 2014.) Although Plaintiff was required to certify that he served copies of the subpoenas on Defendant (Va. Sup. Ct. R. 4:9A(a)(2)), he did not do so. The troubling conclusion from Plaintiff’s conduct is that he delayed serving Defendant with the Complaint to gain a strategic advantage by obtaining through secret discovery subpoenaed documents before Defendant was made aware of the lawsuit, and thus before Defendant could exercise his procedural right to object to personal jurisdiction and the impermissible scope of the subpoenas.5 Such alarming litigation tactics counsel against a finding that Plaintiff acted diligently in seeking to serve Defendant with the Complaint.’

*3-1.pdf* Exhibit A Copy of the original complaint (*fixed order*)

*3-2.pdf* Exhibit B Affidavit - minimal connection with VA

*3-3.pdf* Exhibit C Wiley locations do not include VA, HQ is in NJ

*3-4.pdf* Exhibit D Fairfax circuit court history, key dates are:

04/10/14 Filing date

04/15/14 Subpoena Wiley without informing defendants

06/13/14 Subpoena GMU without informing defendants<sup>119</sup>

<sup>118</sup> [www.desmogblog.com/2015/05/19/ed-wegman-yasmin-said-milt-johns-sue-john-mashey-2-million](http://www.desmogblog.com/2015/05/19/ed-wegman-yasmin-said-milt-johns-sue-john-mashey-2-million)

<sup>119</sup> It might seem somewhat strange to subpoena GMU, [since about Wiley](#).

*3-5.pdf* Exhibit E Subpoenas to Wiley and GMU

‘All documents in John Wiley & Sons, Inc.’s possession or control related to Edward Wegman, including any letters, e-mails, texts, or other communications received from any third parties to John Wiley & Sons, Inc. regarding or referring to Ed Wegman or Yasmin Said.’ ...

‘Any and all documents in George Mason University’s possession or control regarding, related to, or initiating complaints of any nature against Edward Wegman or Yasmin Said, including but not limited to any letters, e-mails, texts, or other communications received from any third parties by George Mason University, its administration, or employees.’

Plaintiff’s counsel is required certify delivery,<sup>120</sup> but Johns did not: He just entered N/A in the 1<sup>st</sup>, and left the 2<sup>nd</sup> blank.

**Wiley subpoena:**

**CERTIFICATE OF COUNSEL**

I, Milton C. Johns, counsel for Edward Wegman, hereby certify that a copy of the foregoing subpoena duces tecum was N/A to N/A, counsel of record for \_\_\_\_\_, on the 15th day of April, 2014.

  
SIGNATURE OF ATTORNEY

**GMU subpoena**

**CERTIFICATE OF COUNSEL**

I, \_\_\_\_\_, counsel for \_\_\_\_\_, hereby certify that a copy of the foregoing subpoena duces tecum was \_\_\_\_\_ to \_\_\_\_\_, counsel of record for \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
SIGNATURE OF ATTORNEY

<sup>120</sup> [www.courts.state.va.us/courts/scv/rulesofcourt.pdf](http://www.courts.state.va.us/courts/scv/rulesofcourt.pdf) Rule 4:9A, p.328

‘A copy of any attorney-issued subpoena duces tecum must be mailed or delivered to the clerk’s office of the court in which the case is pending on the day of issuance **with a certificate that a copy thereof has been served pursuant to Rule 1:12 upon counsel of record and to parties having no counsel**’

**12 04/28/15 Support of Consent Motion to Replace Exhibit**

*12-main.pdf* Request to fix Wegman/Johns' omission of redactions

'Plaintiff Edward Wegman's Complaint references one exhibit (Exhibit 1), which is the contract with which Defendant John Mashey allegedly tortiously interfered. The Complaint that Plaintiff filed with the Circuit Court of Fairfax County, Virginia did not include a copy of Exhibit 1, nor did the Complaint that Plaintiff served on Defendant. Defendant's counsel subsequently asked Plaintiff's counsel to provide a copy of the missing Exhibit 1, which Plaintiff's counsel did by email. The version provided by Plaintiff's counsel was not redacted. On April 13, 2015, Defendant removed the action to this Court. Pursuant to 28 U.S.C. § 1446(a), Defendant attached to his Notice of Removal a copy of the Complaint that Plaintiff had served on him. [Dkt. No. 1.] He also included the version of Exhibit 1 that had been provided by email.

**On April 24, 2015, Defendants' counsel discovered that page 9 of the contract (the signature page) contains several social security numbers.**<sup>121</sup>

Defendants' counsel immediately contacted the Clerk's Office, which placed a security hold on the contract so that it cannot be accessed by the public. The Clerk's Office instructed Defendants' counsel that, to replace page 9 with a redacted version, Defendant must file a motion.

Defendant now files this Motion and respectfully requests that the Court enter an Order requiring the Clerk's Office to (i) replace page 9 of the contract (Exhibit 1 to Exhibit A to Defendant's Notice of Removal) with the redacted page 9 that is attached hereto as Exhibit A, and (ii) discard the unredacted version of page 9. On April 27, 2015, Plaintiff advised that he will join in this motion.'

**16 04/29/15 Motion to Assign Related Cases to the Same Judge**

The cases were essentially identical. Filing them both did nothing but waste time, effort, legal costs and court time.

**17 04/29/15 Brief in Support of Motion to Assign Related Cases ...**

'Plaintiff Edward Wegman commenced this action in the Circuit Court of Fairfax County, Virginia in 2014. In his Complaint, Plaintiff contended that Defendant John Mashey defamed him by accusing him of plagiarism in a 2006 report in which Plaintiff was the lead author. Also in 2014, Yasmin Said, the co-author of the report, filed a virtually identical complaint against Defendant in the same court. Each of the two complaints contains 42 paragraphs and, upon information and belief, are identical except that the two plaintiffs are residents of different states and Wegman was the lead author of the report and Said the co-author. (Copies of the two complaints are collectively attached hereto as Exhibit A.) Both plaintiffs are represented by the same attorney.' ...

'On April 17, Defendant filed a nearly identical motion to dismiss in each case. Oral argument in the Wegman case is scheduled for May 8 and oral argument in the Said case is scheduled for May 14. In an effort to avoid unnecessary judicial and party resources and potentially inconsistent results, Defendant requests that the two cases be assigned to the same Judge so that the two motions to dismiss may be heard at the same time before the same Judge. Plaintiffs' counsel joins in this request.'<sup>122</sup>

**19 04/29/15 Order – judge consolidates cases****20-21 04/30/15 Notice of Voluntary Dismissal by Wegman, Said<sup>123</sup>**

'Pursuant to Fed. R. Civ. P. 41(a) (1) (A)(1), Plaintiff Edward Wegman hereby gives notice that the above styled action is dismissed without prejudice against all Defendants.' *That was the complete text, Said's was similar.*

**22 04/30/15 So Ordered by judge**

Milt Johns had been a partner at his firm Day & Johns.<sup>124</sup>

**05/01/05** The next day he joined Fluet Huber + Hoag.<sup>125</sup>

**05/15/05** He finally supplied the Wiley subpoena file and explained that he had moved to a new firm. Almost all of the text was my emails, but they did show that Linda Katehi and at least one WIREs Editor forwarded emails to Wiley, with comments, but redacted.

<sup>122</sup> *If it was acceptable to consolidate, why did they not file one case originally? All this did was double the paper work.*

<sup>123</sup> [en.wikipedia.org/wiki/Voluntary\\_dismissal](http://en.wikipedia.org/wiki/Voluntary_dismissal)

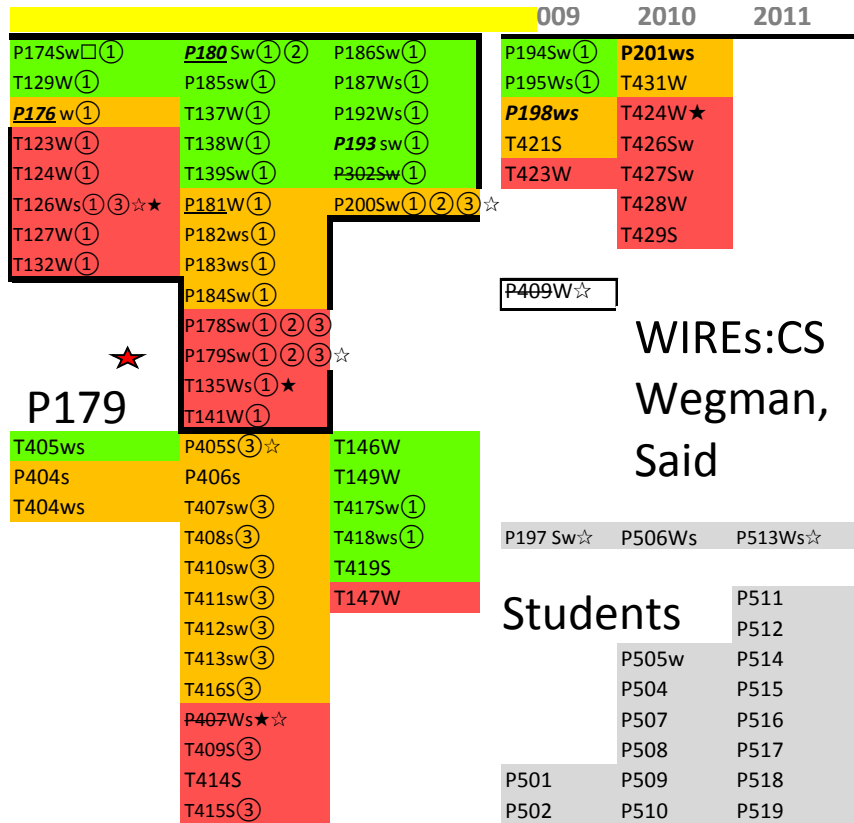
<sup>124</sup> [www.dayjohns.com/attorney-profiles/milt-johns](http://www.dayjohns.com/attorney-profiles/milt-johns)

<sup>125</sup> [fluetlaw.com/milton-c-johns-esq](http://fluetlaw.com/milton-c-johns-esq)  
[fluetlaw.com/milt-johns-joins-fluet-huber-hoang](http://fluetlaw.com/milt-johns-joins-fluet-huber-hoang)

<sup>121</sup> *This is truly surprising.* I have received many FOIA replies and never seen anyone omit redaction of SSNs and other personal information.

**B. Before the complaints were served**

**B.1 Wegman & Said versus hockey stick, climate science**



As seen in [MAS2010a], Wegman and Said continued attacking climate science/scientists in 2006-2007, sometimes using Federal funding. A bit quiet in 2008, they resumed in 2009 and especially in 2010, apparently incited by “Climategate.”

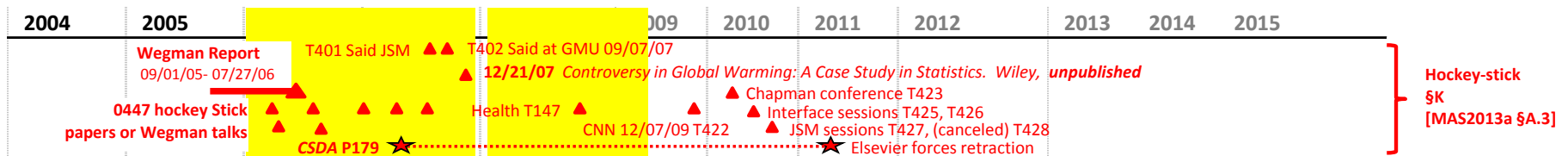
At left is a slice of Sheet<sup>126</sup> (§0.1). Each red item is a climate-related talk or (occasionally) paper, although little or nothing appeared in credible peer-reviewed journals.

The lower right section displays papers by Wegman students in WIREs:CS. No allegations of wrongdoing are implied against the students, but the pattern raises concerns about peer review quality during this time, when Said was Managing Editor, §Q.1.1 04/24/11.

Below is the “hockey stick” part of the complete chronologies, §D.4, and Sheet (§0.3, §K). Yellow shading shows the Wiley contract before WIREs: CS was launched.

Wegman and Said had taken on a huge task ... but meanwhile were doing climate-related talks and (occasionally) papers, even though they were behind schedule in deliveries to Wiley, §D.3.

Wegman wrote falsely to Henry Waxman [MAS2012b], claiming an excuse shown false by later FOIA requests that Navy approval was needed to make his code public, which never happened. [DEE2010r] showed that the WR essentially used Steve McIntyre’s code, which was findable.



<sup>126</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet2.xls](http://www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet2.xls) updates:  
[www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet.xls](http://www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet.xls)

## B.2 Wegman quotes and commentary

### 2010.02.06 Public Facebook post

 **Edward J. Wegman**  
February 6, 2010 · 🌐

So here we are with 30 inches of snow measured in my yard. It is up to some of our windows on the first floor. As Anan says, Global Warming. I guess this snow is due to global warming!

### 2010.08.21 Public Facebook post


This was the first public disclosure of Bradley's complaint to GMU as detailed in [MAS2011 p.9], although not widely noticed until October. (Saturday) Wegman wrote on his Facebook wall, open to anyone there:



For legibility, the text is also shown:

“Edward J. Wegman Want to know a bad week? All in the same week. 1) accused of plagiarism, felony, anti-science, misleading Congress because of your climate science testimony, 2) have a rule made up, which only applied to you, that blocks you from mentoring graduate students, 3) have a friend tell you he was not happy with you because you were awarded a patent.”

### 2010.11.04 Public Facebook Post – ‘Doing the right thing can breed hate’

 **Edward J. Wegman**  
Thank U. Life is not pleasant right now.  
Doing the right thing can breed hate. Love you too. Grandpe. ←  
November 4, 2010

### 2010.11.22 Dan Vergano, USA Today

#### Experts claim 2006 climate report plagiarized [VER2010a]

“In an earlier e-mail Wegman sent to Joseph Kunc of the University of Southern California, however, he called the plagiarism charges “wild conclusions that have nothing to do with reality.”

The plagiarism experts queried by USA TODAY disagree after viewing the Wegman report.

• “Actually fairly shocking,” says Cornell physicist Paul Ginsparg by e-mail. “My own preliminary appraisal would be ‘guilty as charged.’”

• “If I was a peer reviewer of this report and I was to observe the paragraphs they have taken, then I would be obligated to report them,” says Garner of Virginia Tech, who heads a copying detection effort. “There are a lot of things in the report that rise to the level of inappropriate.”

• “The plagiarism is fairly obvious when you compare things side-by-side,” says Ohio State’s Robert Coleman, who chairs OSU’s misconduct committee.’

### 2010.11.23 Dan Vergano, USA Today

#### Climate science critic responds to allegations [VER2010b]

“I will say that there is a lot of speculation and conspiracy theory in John Mashey’s analysis which is simply not true,” Wegman said.’

“We are not the bad guys. . . . We have never intended that our Congressional testimony was intended to take intellectual credit” for other scholars’ work. Wegman said he and his report co-authors felt “some pressure” from a House committee to complete the report “faster than we might like.” But he denied that there was any attempt to tilt the influential climate report politically. He said the committee “wanted our opinion as to the correctness of the mathematics” used in two climate studies.

“They wanted the truth as we saw it,” Wegman said.”

### 2011.01.04 John Mashey, DeSmogBlog

#### Strange Inquiries at George Mason University and even stranger comments [MAS2011]

The following excerpts a few comments from that PDF, but readers may find it useful to study these in the (complex) context Wegman’s 09/06/10 email to Joseph Kunc at USC, was forwarded by Donald Rapp to Dan Vergano, urged to spread around the Internet:

p.11 ““The web blog deepclimate.org is, in my opinion, a totally unsavory operation. They have developed conspiracy theories and have consistently made charges of plagiarism not only against Dr. Rapp, but against me and my colleagues in our report to Congress. They have never spoken with me and have jumped to wild conclusions that have nothing to do with reality. Interestingly enough, they have posted copyrighted material<sup>127</sup> from my website on theirs without acknowledgement. What is even worse is that they hide behind anonymity. It is my opinion that Dr. Rapp has not plagiarized anything and I hold him harmless. This web blog seems to have been developed in retaliation for the enquiries associated with the climategate email releases and the obvious misconduct made clear by those email releases.”<sup>128</sup>

<sup>127</sup> This is an ironic complaint, given the plagiarism. Fair use, all attributed, §E.

<sup>128</sup> deepclimate.org/2008/10/18/hello-world Started a year before “climategate.” Wegman claimed misconduct by scientists already, openly cleared multiple times:

On 09/12/10, Wegman emailed to Rapp:<sup>129</sup>

**p.13** "Dear Dr. Rapp, Thank you for your recent email. It is at least some comfort to know that the zealots aren't targeting me alone. My Dean and Vice President for Research have asked my not to comment<sup>①</sup> until the charges leveled against me have been resolved. However, the official definition of plagiarism<sup>②</sup> involves copying the ideas or words of someone else and presenting them as your own. Of course, in the so-called Wegman report, we make it clear that we were not trying to represent ourselves as the inventors of paleoclimate reconstruction via tree rings as Bradley implies. Indeed, we explicitly say that these materials were included so as to give the Congressional audience a balanced picture<sup>③</sup> of the area. The deepclimate website is full of crackpot conspiracy theories. I avoid reading it in order to keep a semblance of normalcy. I believe the GMU inquiry will vindicate me and my co-authors. (Rice University has already concluded that the charges against David Scott have no merit.)<sup>④</sup> In any case, I have been in touch with counsel and subsequent to the GMU resolution, perhaps we can meet and decide further actions. I do agree that this is a shabby attempt at a smear campaign that attempts to deflect scrutiny from the real misconduct revealed by the climategate emails.<sup>⑤</sup>"

Wegman seemed not to understand why Scott had been cleared:

**p.7** 'Rice replied to Bradley, having completed its inquiry. "During the Inquiry, persuasive evidence was obtained that one of the other authors, Dr. Edward J. Wegman, has taken full responsibility for preparing the allegedly plagiarized text described in the materials you sent to President Leebron. The evidence further indicates that Dr. Scott played no role in preparing or editing the sections that you suggested were allegedly plagiarized and had no knowledge of any such alleged plagiarism, although he was a co-author of the overall report.'"

Rice responded rapidly and correctly, but this raised an interesting question. Wegman and Scott were long-time and continuing close associates. *How did Wegman think Scott's exoneration implied his own? Did Scott not tell him, or did Wegman misunderstand?*

**2011.05.15 Dan Vergano, USA Today**

**Climate study gets pulled after charges of plagiarism** [VER2011] "Neither Dr. Wegman nor Dr. Said has ever engaged in plagiarism," says their attorney, Milton Johns, by e-mail. In a March 16 e-mail to the journal, Wegman blamed a student who "had basically copied and pasted" from others' work into the 2006 congressional report, and said the text was lifted without acknowledgment and used in the journal study. "We would never knowingly publish plagiarized material" wrote Wegman, a former CSDA journal editor. ... Johns says his clients "stand by their work" despite the retraction.'

**2011.05.23 John Mashey, DeSmogBlog**

**Strange Tales and Emails: Said, Wegman, Sharabati, Rigsby** [MAS2011a] Wegman asked Elsevier to be allowed to revise the CSDA article in the face of impending retraction, but failed to convince them. He apparently succeeded with Wiley, even though far more pervasive rewrites were required.

**p.7** "If everyone else thought it was original work, why did they re-use it in Said (2008), Sharabati PhD (2008) and Rezazad PhD (2009), with no acknowledgement of Reeves? Did neither Wegman nor Said notice? The SNA introduction was about 5 pages of text in the WR, of which some came from Reeves, but may have been edited further. Said (2008), Sharabati (2008) and Rezazad (2009) used shorter extracts, pp.118-128. It is difficult for text to be both original work and standard —boiler plate."

**§G** enumerates plagiarism chains of Wegman and his students *who together in essence treated paragraphs from well-known text-books as "community property".* Wegman claimed the SNA text in the WR was Denise Reeve's original work, but parts of it were used in 7 different works by Wegman or his students, in various combinations, never with Reeves credited [DEE2010p]. **No later than August 2010, Wegman knew this contained not just plagiarized, but copyrighted material,** but there is no evidence of withdrawals, except forced retraction of [SAI2009]. *Apparently there was zero concern for copyright, and GMU backed him.*

Wegman re-used some of this text in a grant proposal ("P409") to the Army Research Organization [MAS2013e]<sup>130</sup> About 50% of that is alleged to be plagiarized, but fortunately for Wegman, the proposal was rejected, since plagiarism in a funded grant proposal may rise to felony.

[en.wikipedia.org/wiki/Climatic\\_Research\\_Unit\\_email\\_controversy](http://en.wikipedia.org/wiki/Climatic_Research_Unit_email_controversy)

<sup>129</sup> In the PDF, the circles are keys to detailed discussion.

<sup>130</sup> See also [www.desmogblog.com/sites/beta.desmogblog.com/files/Appendix.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/Appendix.pdf)

### B.3 Recent Wegman snapshot as hint on views

Wegman still lists [SAI2008], retracted in 2011, still with wrong title.<sup>131</sup>  
See §C #9 and #21 (“never found to have committed plagiarism”)

**Edward Wegman**

[Main Page](#)   [Curriculum Vitae](#)   [Publications](#)

**Recent Publications**

Karen Kafadar and Edward J. Wegman, "Visualizing 'typical' and 'exotic' Internet traffic data," *Computational Statistics and Data Analysis*, 50(12), 3721-3743, 2006

Yasmin H. Said and Edward J. Wegman, "Geospatial distribution of alcohol-related violence in Northern Virginia," in *COMPSTAT 2006*, (Alfredo Rizzi and Maurizio Vichi, eds.), 197-208, 2006

Alan H. Dorfman, Janice Lent, Sylvia G. Leaver and Edward Wegman, "On sample survey designs for consumer price indexes," *Survey Methodology*, 32(2), 197-216, 2006

Yasmin H. Said, Edward J. Wegman, Walid K. Sharabati, John T. Rigsby, "Style of author-coauthor social networks," *Computational Statistics and Data Analysis*, 52, 2177-2184, 2007, doi:10.1016/j.csda.2007.07.021

Yasmin H. Said and Edward J. Wegman, "Quantitative assessments of alcohol-related outcomes," *Chance*, 20(3), 17-25, 2007

Edward J. Wegman and Wendy Martinez, "A conversation with Dorothy Gilford," *Statistical Science*, 22(2), 291-300, 2007

The following notes are extracted from [MAS2013a pp.62-64], with minimal edits, so readers may want to consult that to follow internal references. His list of recent publications is .... *sad*.

Blue is work fit for ARO grant, Green is alcoholism, red is attacks on climate science, orange is other.

<b>P173</b> w□	2 <sup>nd</sup> author, credible, but work mostly done 2004/2005
<b>P174</b> Sw□①	2 <sup>nd</sup> author, but most from Said's alcohol PhD, uncredited
<b>P176</b> w①	4 <sup>th</sup> author on survey design
<b>P179</b> Sw①②③☆	2 <sup>nd</sup> author, [SAI2008], retracted for plagiarism
<b>P180</b> Sw①②	2 <sup>nd</sup> author, but in <i>Chance</i> , not a research journal
<b>P181</b> W①	1 <sup>st</sup> author, but really transcript of an interview

In detail, these were:

**P173** w□<sup>132</sup> 2005.08 4/3 A plausible earlier version was **P161** w□.

'Kafadar, Karen and Wegman, Edward J. (2006) "Visualizing 'typical' and 'exotic' Internet traffic data," *Computational Statistics and Data Analysis*, 50(12), 3721-3743

Kafadar was Corresponding Author and the history was:

'Received 28 July 2004; received in revised form 27 June 2005; accepted 29 June 2005 Available online 1 August 2005.'

<sup>131</sup> [spacs.gmu.edu/profile/edward-wegman](https://web.archive.org/web/*/http://spacs.gmu.edu/profile/edward-wegman) No separate URL, copied 05/16/15  
[https://web.archive.org/web/\\*/http://spacs.gmu.edu/profile/edward-wegman](https://web.archive.org/web/*/http://spacs.gmu.edu/profile/edward-wegman)  
First captured in 2014, this is not some old page.

<sup>132</sup> [www.sciencedirect.com/science/article/pii/S0167947305001489](http://www.sciencedirect.com/science/article/pii/S0167947305001489)

Changes have not been compared in detail, but one kind was striking: 9 references (of which 5 were Wegman and/or students) got expanded to 33, including additions of Cleveland and Tufte classics references.

Comparison with an earlier version<sup>133</sup> was instructive. The old ack was: 'Funding from Grant No. F49620-01-1-0274 from the Air Force Office of Scientific Research, awarded to George Mason University, is gratefully acknowledged. Part of this research was conducted during the first author's appointment as faculty visitor at National Institute of Standards and Technology.'

The published acknowledgement showed peer review, unlike **P179**, §H.5. 'Funding from Grant No. F49620-01-1-0274 from the Air Force Office of Scientific Research, awarded to George Mason University, is gratefully acknowledged. **We also thank** the Editor, Associate Editor, and an anonymous referee for **useful suggestions on an earlier version of this article.**'

The original had 7 references, of which 4 were by Wegman or students.

Vardeman and Jobe is a textbook, and Tukey(1977) is an old classic.

- [1] Marchette D.J. (2001). Computer intrusion detection and network monitoring. Springer.
- [2] Khumbah N.-A., Wegman, E.J. (2003). Data compression by geometric quantization. Recent Advances and Trends in Nonparametric Statistics, M. Akritas, D.N. Politis (eds), North Holland Elsevier, Amsterdam.
- [3] Silverman B.W. (1986). Density estimation. Chapman and Hall: London.
- [4] Tukey J.W. (1977). Exploratory data analysis. Addison-Wesley, Reading, Massachusetts.
- [5] Vardeman S.B., Jobe J.M. (1999). Statistical quality assurance methods for engineers. Wiley, New York.
- [6] Wegman E.J., Marchette D.J. (2003). On some techniques for streaming data: A case study of Internet packet headers. *J. Comput. Graph. Stat.* **12** (4), 893-914.
- [7] Wegman E.J.; Marchette D.J.<sup>134</sup> (2004). Statistical analysis of network data for cybersecurity. *Chance*, 9-19.

The final published version added ~26 additional references. *I speculate that* a knowledgeable referee wanted more context.<sup>135</sup> This ack'd only a grant that ended in 2003, and most work was clearly done pre-0447 (□).

<sup>133</sup> The earlier version was "ARMY2010\_IDVIS\kkew1.pdf" dated 07/27/04.  
[www.documentcloud.org/documents/550097-kkew1.html](http://www.documentcloud.org/documents/550097-kkew1.html)

<sup>134</sup> This was P158, a slight mis-cite, as it was Marchette and Wegman.

<sup>135</sup> *This seemed a credible paper, and if it got more statisticians interested in the problems, it was useful.* Networking is a huge field with a long history and huge literature. Interdisciplinary papers may be published in a wide range of journals. *CSDA* was plausible, but *analysis of computer networks was not an obvious specialty there*, and even the expanded set of references had few from networking journals. Wegman and/or students published SNA papers, but not generally in SNA journals. *P173 showed much more expertise.* ...

**P174Sw** ①<sup>136</sup>=**T129W** ① 2006.08 1/0 {⑩}

‘Said, Yasmin H and Wegman, Edward J. (2006) “Geospatial distribution of alcohol-related violence in Northern Virginia,” in COMPSTAT 2006, (Alfredo Rizzi and Maurizio Vichi, eds.), 197-208 Rome, IT’ August

It was acknowledged (p.206):

‘This paper benefitted greatly from the help and encouragement of Professor William Wiczorek of Buffalo State, part of the SUNY system and of Professor David Anderson of George Mason University.’

Said’s affiliation is given as Johns Hopkins U. Most text seemed taken word-for-word from Said’s dissertation, **P401S**, but with no reference.

Wegman was added as coauthor, and “I” changed to “we,” or “my” to “our.” Of the 19 references, 14 were from the dissertation, (Ezz02) was cited with no reference, and 4 were new (Mor01, Poik77, Ross96, Smoo85).

Corresponding pages were:

<b>P174 Sw</b>	<b>P401S</b> (PDF pages)	“We” ← “I” (or equivalent), notes
197	10, 11, 13	1 case
197 (1)	13	
198	13, 14, 15	2 cases
198 (2)	23	1 case
199	23, 24,25	2 cases
199 (2.1)	28	
200	28, 29, 30, 31	2 cases
201 N/A		
202 N/A		
203	40	
203 (3.2)	41	
203 (4)	49, 51	4 cases
204	51	2 cases
204 (5)	New text condensed descriptions from <b>P401S</b>	
205	83	Fig.2 ← Figure 13
205 (6)	New conclusion text	
206	94	Fig. 3 ← Figure 23
206	95	Fig. 4 ← Figure 24
207	105,106,107	References

If a new PhD can convert a part of their dissertation into a credible paper, *that is good*, but usually the paper references the dissertation, especially when much of the paper is extracted almost word-for-word.

*Here, it seemed Wegman was taking coauthorship credit for Said’s work, or that Said’s dissertation should have credited Wegman for it.*

<sup>136</sup> [link.springer.com/chapter/10.1007%2F978-3-7908-1709-6\\_15?LI=true](http://link.springer.com/chapter/10.1007%2F978-3-7908-1709-6_15?LI=true)  
[books.google.com/books?hl=en&lr=&id=kO9nNrrT1MoC&oi=fnd&pg=PA196&ots=CH1j4qUvOE&sig=Ot2UO\\_ckfGwIlvANI4XxEP1UukQ#v=onepage&q&f=false](https://books.google.com/books?hl=en&lr=&id=kO9nNrrT1MoC&oi=fnd&pg=PA196&ots=CH1j4qUvOE&sig=Ot2UO_ckfGwIlvANI4XxEP1UukQ#v=onepage&q&f=false)

Wegman claimed this (①), but the paper did not ack 0447. Said claimed it in **§S.3.1**, but the paper was mostly taken from her dissertation, with no evidence of any further development from its status as of May 2005, a year before 5876 started, so (□). *Was this worth a trip to Italy?*

**P176 w** ①<sup>137</sup> 8/6 {**P167**, **P176**}

‘Dorfman, Alan H., Lent, Janice, Leaver, Sylvia G. and Wegman, Edward J. (2006) “On sample survey designs for consumer price indexes,” *Survey Methodology*, 32(2), 197-216’

**P179 Sw** ①②③☆ 40/37<sup>138</sup>

‘Said, Yasmin H., Wegman, Edward J., Sharabati, Walid K. and Rigsby, John T. (2008) “Style of author-coauthor social networks,” *Computational Statistics and Data Analysis*, 52, 2177-2184, 2008; doi:10.1016/j.csda.2007.07.021, 2007’

NOTE: Online Aug 2007, hence placed in 2007 on charts.

This was [SAI2008] in earlier reports. Authors have sometimes cited it as:

“Style of author-coauthor social networks”<sup>139</sup> *but the published title was:*  
 “Social networks of author-coauthor relationships.”

**P180 Sw** ①② 5/0 {?}

‘Said, Yasmin H. and Wegman, Edward J. (2007) “Quantitative assessments of alcohol-related outcomes,” *Chance*, 20(3), 17-25’

Said asked for the 3 key grants to be ack’d by email, **§S.5-08/31/07**.

*Chance*<sup>140</sup> is peer-reviewed, but is not a research journal:

‘CHANCE is not a technical magazine, but rather a cultural record of an evolving field, intended to entertain as well as inform.’

**P181 W** ①<sup>141</sup> 1/1

‘Wegman, Edward J. and Martinez, Wendy L. (2007) “A conversation with Dorothy Gilford,” *Statistical Science*, 22(2), 291-300’

This was a transcript of an interview.

<sup>137</sup> [www.statcan.gc.ca/ads-annonces/12-001-x/9554-eng.pdf](http://www.statcan.gc.ca/ads-annonces/12-001-x/9554-eng.pdf)

[www.webcitation.org/6D5vtNgy0](http://www.webcitation.org/6D5vtNgy0)

<sup>138</sup> *Surprisingly*, although it used SNA incorrectly and has been retracted, this paper got the most non-coauthor citations of any claimed papers examined.

<sup>139</sup> JSM2007 had a paper of that title, P183, by Sharabati, Said, Wegman, p.306.

[www.amstat.org/meetings/jsm/2007/pdfs/jsm2007abstractbook.pdf](http://www.amstat.org/meetings/jsm/2007/pdfs/jsm2007abstractbook.pdf)

<sup>140</sup> [chance.amstat.org/about](http://chance.amstat.org/about)

Article itself was unfound, but ack was given to *Chance* by Said in **§S.5**.

<sup>141</sup> [arxiv.org/pdf/0710.4768.pdf](http://arxiv.org/pdf/0710.4768.pdf) This history of her and ONR was interesting, and worth having. “Beaches in Rio” was amusing. It was worthwhile for the profession, but had nothing to do with 0447.

**B.4 2014.06.02 Wiley responds to Johns' irregular subpoena**

As per §A.2, Plaintiff's lawyer is supposed to certify that Defendant has been notified, but Johns failed to do that. After repeated requests by my lawyers, Johns sent it to them 05/15/15, also giving contact information at Fluet Huber & Hoang, which he had joined 05/01/15.

An annotated copy of Wiley's response is attached.<sup>142</sup> The cover letter is:

June 2, 2014

Attention: Stephanie Melnyk

Day Johns, PLLCf ...

Dear Ms. Melnyk: As you know, I represent John Wiley & Sons, Inc. ("Wiley"). This letter and the enclosed documents come in response to your client's subpoena and our telephonic conversation in May.

Wiley objects to your client's subpoena as overly broad, unduly burdensome, and because it seeks information not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving those objections, Wiley encloses all the responsive documents (as limited by our phone call) that it was able to locate subject to a reasonable search. These documents are in the bates range Wiley 0001 to 0023.

Please note that some pages have redactions. These redactions reflect privileged (either attorney-client, work product, or both) communications among Wiley employees, which, in any event, are not responsive to your subpoena.

Sincerely yours,  
Joseph J. Barker

Wiley sent a subset<sup>143</sup> of those already collected in §Q during April 2015 for the court and eventual publication. **We had nothing to hide.** The Wiley response did not help Wegman, and clearly showed that the primary complaints were about SAI2009 and WEG2011, not the WR. On 06/11/14, they filed the near-identical Said complaint.

The most instructive parts of the response showed that Linda Katehi (§Q.3.2 03/22/12) and one of the WIREs Editors (§Q.4.1 06/18/12) had forwarded my emails to Wiley, with substantial (redacted) comments. Others may have forwarded emails and Wiley missed them, or otherwise communicated without forwarding, not covered by subpoena.

Following was Kirkpatrick's email, WILEY 0002

'---- Original Message----'

From: Ted Kirkpatrick [mailto:[ted@sfu.ca](mailto:ted@sfu.ca)]

Sent: Monday, May 09, 2011 8:37 PM

To: Quigley, Stephen - Hoboken

Cc: Bailey, Janet - Hoboken

Subject: WIREs: Computational Statistics---potential plagiarism in "Roadmap for Optimization" article

Dear Mr. Quigley and Ms. Bailey,

John Mashey gave me your names. I have been examining the article "Roadmap for Optimization", by Y. Said and E. Wegman, in the August 2009 issue of WIREs: Computational Statistics. This article does not appear to meet the standards that Wiley sets for its scholarly and technical publications. In particular, large portions of the article appear to closely match related pages in Wikipedia. Given that the Wikipedia pages are dated five months before the WIREs:CS article was first made available on-line, the most reasonable conclusion is that the text was copied from Wikipedia into this article.

In addition to the apparent plagiarism, there are substantial problems with the writing. By itself, this does not disqualify an article, but together with the evidence of plagiarism it raises doubts in my mind about whether the article was ever subjected to genuine peer review. This possibility is especially damaging, given that the article was written by two of the journal's Editors-in-Chief.

I have read articles from other authors in WIREs:CS and other journals in the WIREs series. I have found them as a rule to be comprehensive and well-written. They are strikingly different from this article.

I request that you have scholars unaffiliated with WIREs:CS review this article for both potential plagiarism and overall quality. If they conclude that substantial portions were plagiarized, the article should be formally retracted and the editorial process at WIREs:CS revised to prevent a recurrence.

Attached to this message is a PDF providing detailed comparisons of sections of the article with Wikipedia, together with a summary of some of its writing problems.

If you would like further information, please contact me at this email address.

Sincerely,

Ted Kirkpatrick

Associate Professor of Computing Science Simon Fraser University Burnaby

BC Canada'

<sup>142</sup>[www.desmogblog.com/sites/beta.desmogblog.com/files/Wiley.Sons\\_Subpoena.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/Wiley.Sons_Subpoena.pdf)

<sup>143</sup> I did not have a copy of Kirkpatrick's email and compariso. Later.

## B.5 2014.06.14 Milton Johns threatens legal action vs DeSmogBlog



10560 MAIN STREET  
SUITE 218  
FAIRFAX, VIRGINIA 22030  
PHONE: 703.268.5600  
FAX: 703.268.5602

June 11, 2014

DeSmogBlog  
Attn: Mr. Brendan DeMelle  
3000 Royal Centre  
1955 West Georgia Street  
Vancouver, BC V6E 3R3

**RE: Cease and desist all use of Edward Wegman's picture and excerpts**

Dear Mr. DeMelle,

This law firm represents Mr. Edward Wegman. It has come to our attention that you have used Mr. Wegman's picture on numerous occasions throughout your website, as well as several excerpts from old websites to which Mr. Wegman no longer publishes. Both uses are without Mr. Wegman's permission.

As such, we demand that you remove any posts including these photographs and excerpts immediately. Please understand that if you fail to do so, we will be forced to initiate whatever legal action necessary to protect our client. Thank you for your cooperation with this matter.

Sincerely,

Milton C. Johns, Esq.  
Attorney for Edward Wegman

**DeMelle replied to this vague request, declining to make such changes and Johns did not continue with this line of argument.**

To the best of my knowledge, official GMU file photos were used, such as one also found in *USA Today* [VER2010c].

*This was a very strange take-down request, as it was vague, not specific.* See §A.1 for the interesting chronological placement of this letter amidst other actions.

On 09/06/10, Wegman had emailed to Donald Rapp, from §B.2:

'Interestingly enough, they have posted **copyrighted material** from my website on theirs without acknowledgement.'

It is helpful to understand "Fair use", starting with Wikipedia<sup>144</sup> to reach: 17 U.S. Code § 107 - Limitations on exclusive rights: Fair use<sup>145</sup>

'Notwithstanding the provisions of sections 106 and 106A, the **fair use of a copyrighted work**, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as **criticism, comment, news reporting**, teaching (including multiple copies for classroom use), **scholarship, or research**, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include—

- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for **nonprofit educational purposes**;
- (2) the nature of the copyrighted work;
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (4) the **effect of the use upon the potential market** for or value of the copyrighted work.

The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.'

To the best of my knowledge, any excerpt of Wegman or Said's at *deepclimate.org* or *DeSmogBlog* was carefully cited, **since that was the whole point of showing anything**. Specific omissions could be fixed.<sup>146</sup>

As for removing excerpts from

'old websites to which Mr. Wegman no longer publishes'

DC had found<sup>147</sup> Yasmin Said's talk [SAI2007], which offered crucial evidence of real WR history. **The file disappeared August 2010.**<sup>148</sup>

Files get lost, *but it is hard to rationalize the coincidence of a seminar history text file losing that single entry about the same time.*<sup>149</sup>

*Readers might consult the annotated version to see why Wegman and/or Said may have wished for this file to disappear.*

<sup>144</sup> [en.wikipedia.org/wiki/Fair\\_use](http://en.wikipedia.org/wiki/Fair_use)

<sup>145</sup> <https://www.law.cornell.edu/uscode/text/17/107>

<sup>146</sup> People can assess the level of citation care shown by DC or me.

<sup>147</sup> [deepclimate.org/2010/02/08/steve-mcintyre-and-ross-mckittrick-part-2-barton-wegman](http://deepclimate.org/2010/02/08/steve-mcintyre-and-ross-mckittrick-part-2-barton-wegman) search for text starting "unnoticed 2007 symposium presentation"

<sup>148</sup> MAS2010a §A.11, pp.89-95 offers a heavily-annotated copy of SAI2007.

<sup>149</sup> However, the seminar entry was recorded elsewhere and it still existed.

### C. Wegman/Said complaints dissected

The original had an extra page at front, shown below, replaced by the EXHIBIT A page in the Motion to Dismiss.<sup>150</sup> PDF pages 2-7 are essentially identical between the two copies.

p.1

‘COMMONWEALTH OF VIRGINIA  
CIRCUIT COURT OF FAIRFAX COUNTY  
4110 CHAIN BRIDGE ROAD  
FAIRFAX, VIRGINIA 22030  
703-691-7320  
(Press 3, Press 1.) .

‘Edward J. Wegman vs John Mashey, et al. CL-2014-0003296

#### SUMMONS - CIVIL ACTION

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the Clerk's office of this Court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment or decree against such party either by default or after hearing evidence.

APPEARANCE IN PERSON IS NOT REQUIRED BY THIS SUMMONS.

Done in the name of the Commonwealth of Virginia on **March 2, 2015**.  
John T. Frey, Clerk, by Deputy Clerk  
Plaintiff's Attorney: Milton C. Johns’

p.2

‘FILED CIVIL INTAKE 2014 MAR 10

### Commentary

Served 03/24/15 ~6PM Pacific Daylight Time

The Said complaint is almost identical, except for interchange of names, addresses and differing dates. The key differences are shown below.

p.1

‘Yasmin Said vs. John Mashey et al. CL-2014-0007858

Done in the name of the Commonwealth of Virginia, on June 12, 2014  
John T. Frey, Clerk, by Deputy Clerk  
Plaintiff's Attorney: Milton C. John

p.2

‘FILED CIVIL INTAKE 2014 JUN 11’<sup>151</sup>

*Otherwise they are essentially identical.*

*The lags are curious:*

*2011-2012 the relevant events, ending June 2012.*

*2014 Civil Intake ... 2015 Service of complaints*

*Wegman and Said have had years to challenge any of the evidence, but had not done so, while asserting they have never plagiarized.*

<sup>150</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/1-1\\_0.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/1-1_0.pdf)

<sup>151</sup> The 2014 MAR 10 and 2014 JUN 11 dates seem odd, note §U 06/14/14 date.

p.2

## COMPLAINT

COMES NOW your plaintiff, Edward Wegman, by counsel, to recover damages against California resident John Mashey for tortious interference with contract and for civil conspiracy under Virginia Code § 18.2-500, for a course of conduct intended to "destroy" Plaintiff's reputation. Upon information and belief, Plaintiff Said states as follows:

## Commentary

**Tortious interference: disputed**, no contract known.<sup>152</sup>

Blatant copy-paste-edit plagiarism is so obvious it may be called *res ipsa loquitur*.<sup>153</sup> Reporting it is often done by cooperative effort as a *pro bono* public service.<sup>154</sup> Nobody involved was going to take over the contract.

**Wiley clearly recognized the problem**, because Wegman and Said were required/allowed to do pervasive rewrites of 2 papers to fix the complaints, with no admission of a problem.

Such privilege violated Wiley's own guidelines.

**Civil conspiracy: disputed**. As above.

**Entire complaint disputed.**

**In effect, Wegman, Said and Johns are claiming that no one can legally lodge and pursue academic misconduct complaints, if such would cause loss of reputation or money.**

The only example of journal editors to be caught plagiarizing in papers for their own journal known to me was documented at *RetractionWatch*.<sup>155</sup>

The publisher forced a (minimal) retraction:

'The article has been retracted by request of the authors. Unaltered text was taken from a pre-published version of *Bazant MZ, Squires TM (2010) Induced-charge electrokinetic phenomena. Curr Opin Colloid Interface Sci 15(2010) 203–213*. Moreover, a few reproduced figures from other published articles lack appropriate references. The authors apologize for their negligence.'

**Wiley, Wegman and Said could have done the same thing, quickly.**

<sup>152</sup> <https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-500>  
<https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-499>

<sup>153</sup> "the thing speaks for itself" *Res ipsa loquitur* is more commonly applied in other kinds of cases, especially negligence, but it certainly fits plagiarism. [www.gmanetwork.com/news/story/196527/news/nation/lawyer-plagiarized-ruling-speaks-for-itself](http://www.gmanetwork.com/news/story/196527/news/nation/lawyer-plagiarized-ruling-speaks-for-itself); [drdawsblawg.ca/2012/09/of-standards-public-editors-plagiarism-and-margaret-wente.shtml](http://drdawsblawg.ca/2012/09/of-standards-public-editors-plagiarism-and-margaret-wente.shtml)

<sup>154</sup> [retractionwatch.com](http://retractionwatch.com); [www.nsf.gov/oig/search](http://www.nsf.gov/oig/search) Select Plagiarism in search box  
[ori.hhs.gov/case\\_summary](http://ori.hhs.gov/case_summary)  
[www.amazon.com/False-Feathers-Perspective-Academic-Plagiarism/dp/3642399606](http://www.amazon.com/False-Feathers-Perspective-Academic-Plagiarism/dp/3642399606) Includes a German group that has found many cases  
[retractionwatch.com/2015/03/05/judge-rules-most-of-pubpeers-commenters-can-remain-anonymous](http://retractionwatch.com/2015/03/05/judge-rules-most-of-pubpeers-commenters-can-remain-anonymous)

<sup>155</sup> [retractionwatch.com/2012/08/08/plagiarism-costs-canadian-lab-on-a-chip-researcher-a-paper-in-his-own-journal](http://retractionwatch.com/2012/08/08/plagiarism-costs-canadian-lab-on-a-chip-researcher-a-paper-in-his-own-journal)

p.2

## JURISDICTION &amp; VENUE

1. This Court has jurisdiction in this proceeding pursuant to Virginia Code § 17.1-513.
2. Venue is proper pursuant to Virginia Code § 8.01-262

p.3

3. Defendant John Mashey is a nationally recognized science figure and blogger, writing regularly for "Desmog Blog," and has reached into Virginia and the nation, creating substantial contacts, thus subjecting him to the personal jurisdiction of this court.'

## PARTIES

4. Edward Wegman is a resident of the Commonwealth of Virginia, residing at 9748 Thorn Bush Drive, Fairfax Station, Virginia 22039.

5. On information and belief, Defendant John Mashey is a resident of California.'

## Commentary

**1 & 2, Jurisdiction and venue: Wrong.**<sup>156</sup>

I live in CA, Wegman lives in VA, and Said in MD:

'4. Yasmin Said is a resident of Maryland and a United States citizen.'

Wiley is a NY company headquartered in Hoboken, NJ, and a UK office was also involved for some reason.

*DeSmogBlog* was founded in Canada by James Hoggan.<sup>157</sup>

Authors are spread widely, but none are located in VA.

The IT provider is *Catalyst Internet*<sup>158</sup> (Victoria, British Columbia) which contracts with *CloudFlare*<sup>159</sup> (San Francisco, CA) who manages disk space on *Amazon* (Seattle, WA) EC2,<sup>160</sup> servers located worldwide.<sup>161</sup>

Coincidentally, *DeSmogBlog* happens to be served from the VA site.

*Deepclimate.org* is entirely run by Deep Climate (DC), a Canadian blogger who has good reasons to be pseudonymous.

3. I am not exactly sure what this means, unless Wegman is referring to articles in *USA Today* and especially *Science*, **§E.2011.06.10**. Both are national, not VA-specific.

I have never lived in VA nor owned property there. I last was in VA May 2007, by virtue of landing at Dulles Airport to attend a New Enterprise Associates<sup>162</sup> Limited Partners Meeting in Washington, DC May 3-4, then returning. During the 1990s, on Silicon Graphics business, I visited Washington and occasionally customers like AOL the CIA and Naval Surface Weapons Center. During that time, I likely averaged ~2 days/year in VA, other than flights through Dulles.

<sup>156</sup> <https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+17.1-513>

<https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+8.01-262>

<sup>157</sup> [www.desmogblog.com/about](http://www.desmogblog.com/about)

<sup>158</sup> [www.catalystinternet.com](http://www.catalystinternet.com)

<sup>159</sup> [www.cloudflare.com](http://www.cloudflare.com)

<sup>160</sup> [aws.amazon.com/ec2](http://aws.amazon.com/ec2)

<sup>161</sup> [aws.amazon.com/about-aws/global-infrastructure/regional-product-services](http://aws.amazon.com/about-aws/global-infrastructure/regional-product-services)

<sup>162</sup> [www.nea.com/location/us](http://www.nea.com/location/us)

p.3

**FACTUAL ALLEGATIONS**

6. Edward Wegman was the lead author in a 2006 report to Congress, referred to as the "Hockey Stick Report" or the "Wegman Report," that cast **serious doubt** on the reliability of the statistics used by proponents of "global warming" theories of anthropogenic climate change.

**Commentary****6. Disputed, except for clear fact that Wegman was lead author**

They<sup>163</sup> tried to cast serious doubt, but within mainstream climate science, it failed to achieve this. The report and testimony were not convincing to climate scientists. It was used in many anti-science articles and books written by people who were not scientists, much less climate scientists. *Although impossible to prove, it gave false claims to Congress and likely was a contributing factor to hundreds of hate mails sent to Michael Mann.*

In 2006, Wegman promised Henry Waxman(R-CA) to publish the code, but it never appeared. He claimed he had to await Navy approvals, but FOIAs showed that to be a false excuse for delay [MAS2012b]. Wegman and Said did not really verify Steve McIntyre's results, as shown in [DEE2010r] but just reran his error-ridden code. They showed only graphs sampled from the cherry-picked 1% most favorable to their claims, unconvincing to experts, but credible-seeming to general public.

Mention of the WR as relevant background brings the WR into the case, and there is a great deal of evidence about its nature [MAS2010a].

It is alleged that the WR and testimony around it was the result of a politically-organized conspiracy to damage the reputations of climate science in general and scientists Michael Mann, Raymond Bradley and Malcolm Hughes in particular.

It is alleged that it was designed, not for real science assessment, but to deceive the public and Congress, the latter possibly falling under **18.U.S.C §1001, 18.U.S.C §4 and 18.U.S.C §371** [MAS2010 p.184].

It is alleged that the WR was pervaded by plagiarism and many other problems, and that much of the work was done by Wegman students, not "eminent statisticians" claimed.

<sup>163</sup> Said's complaint: 'Yasmin Said was a co-author with Edward Wegman...' Wegman was senior author, Scott is believed to have written 3 pages, leaving much of the work to alcoholism post-doc Said and 2 grad students.

p.3

‘7. In March of 2009, Defendant John Mashey, via the web blog Deepclimate.org performed an analysis of the Wegman Report that purported to show plagiarism by Wegman.’

### Commentary

#### 7. False.

This was not March 2009, but December 2009 [DEE2009] and not by John Mashey, but by Canadian Blogger Deep Climate (DC), who had first posted at *deepclimate.org* 10/18/08<sup>164</sup> starting an introduction with:

‘Welcome to Deep Climate, an exploration of the climate science “skeptical” movement in Canada. In the coming weeks and months, I’ll be looking at the organizations that propagate climate science disinformation and the public relations professionals who have worked behind the scenes to ensure maximum impact of that disinformation.’

In mid December 2009, DC posted:

08 In the beginning: The National Post, Terence Corcoran and Tom Harris<sup>165</sup>

10 Bali 2007 revisited<sup>166</sup>

11 McIntyre provides fodder for skeptics<sup>167</sup>

17 Contrarian scholarship: Revisiting the Wegman report [DEE2009]

22 More, [DEE2009a, DEE2009b]

DC got into the WR by studying Canadians McIntyre and McKittrick, then found WR text with strong similarity to that of Ray Bradley’s book, [BRA1999], *Wikipedia* and some well-known Social Networking Analysis (SNA) texts. DC referenced an earlier report of mine that mentioned Donald Rapp. This got 200+ comments with a lively discussion.

I had been studying climate anti-science organizations, but had not noticed *deepclimate.org* until about this time, I think from comments at *Deltoid*, perhaps this 12/11/09.<sup>168</sup> I had read the WR years earlier and dismissed it as unconvincing. DC’s post got me interested again, since the WR seemed connected with the organizations I had been studying.

DC’s analysis did **not** purport to show plagiarism by Wegman, but showed strong evidence for plagiarism in the WR, which had 3 authors. At that point, it was unclear who executed the copy-paste-edits, but of course, Wegman was the lead author and responsible.

<sup>164</sup> [deepclimate.org/2008/10/18/hello-world](http://deepclimate.org/2008/10/18/hello-world) Later, Wegman claimed that *deepclimate.org* was created to distract from November 2009’s “climategate.”

<sup>165</sup> [deepclimate.org/2009/12/08/in-the-beginning-the-national-post-terence-corcoran-and-tom-harris](http://deepclimate.org/2009/12/08/in-the-beginning-the-national-post-terence-corcoran-and-tom-harris)

<sup>166</sup> [deepclimate.org/2009/12/10/bali-2007-revisited](http://deepclimate.org/2009/12/10/bali-2007-revisited)

<sup>167</sup> [deepclimate.org/2009/12/11/mcintyre-provides-fodder-for-skeptics](http://deepclimate.org/2009/12/11/mcintyre-provides-fodder-for-skeptics)

<sup>168</sup> [scienceblogs.com/deltoid/2009/12/11/steve-mcintyre-down-in-the-quo/](http://scienceblogs.com/deltoid/2009/12/11/steve-mcintyre-down-in-the-quo/)

p.3

‘8. In March of 2010, based on Mashey's writings, Raymond Bradley, of the University of Massachusetts, made a complaint to Said's employer, George Mason University, alleging plagiarism in the report from one of Bradley's textbooks.’

**Commentary****8. False.**

Bradley's several complaints to GMU were **entirely** based on Deep Climate's demonstrations of plagiarism. His 2 complaints to GMU were:

**03/05/10** Sections from Bradley's book [MAS2011 pp.24-28] .

He cited the PDF from [DEE2009b], which DC later upgraded to the highlighted style that allows rapid assessment.<sup>169</sup> He cited:

<https://deepclimate.files.wordpress.com/2009/12/wegman-bradley-tree-rings.pdf>

**05/13/10** [MAS2011 p.30] SNA plagiarism in WR and [SAI2008] paper, noting Federal grants. He included [DEE2010f], cited as:

‘This was reported on the web site:

<http://deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship> ‘

Vergano reported this correctly in [VER2010a], see **§E.2010.11.22:**

‘Bradley says he learned of the copying on the *Deep Climate* website and through a now year-long analysis of the Wegman report made by retired computer scientist John Mashey of Portola Valley, Calif.’

*All the early material was found by DC, and Bradley's complaints were published in early 2011, so the claim by Johns seems inexplicable.*

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<sup>169</sup>He had some source confusion, as he mentioned Richard Littlemore, who had posted at DeSmogBlog, [www.desmogblog.com/plagiarism-conspiracies-felonies-breaking-out-wegman-file](http://www.desmogblog.com/plagiarism-conspiracies-felonies-breaking-out-wegman-file)

I think he meant that is how Bradley learned about DC's work.

That post referenced a report of mine replaced by [MAS2010] a month later.

p.3

‘9. Two different committees investigated the charges and no plagiarism was found.’

### Commentary

#### 9. False.

The process at GMU was documented in detail, updated as events occurred [MAS2011, MAS2012a, MAS2012c, and MAS2013f].

The **inquiry** committee found enough evidence to specify an investigation, or the investigation committee would not have been formed.

According to Provost Stearns’ letter [MAS2012c pp.35-36]”

‘The committee investigating the congressional report has concluded that no scientific misconduct was involved. Extensive paraphrasing of another work did occur, in a background section, but the work was repeatedly referenced and the committee found that the paraphrasing did not constitute misconduct.

Concerning the *Computational Statistics* article, the relevant committee did find that **plagiarism occurred in contextual sections of the article**, as a result of **poor judgment** for which Professor Wegman, as team leader, must bear responsibility.’

[MAS2012c, pp.8-14] showed that Stearns’ letter was often contradicted by the FOIA replies, which showed only an inquiry committee and investigation committee, not two each.

Somehow, the same investigation committee admitted that 1.5 pages of text in [SAI2008] was plagiarism, but not the 5.5 page superset in the WR. Perhaps Stearns or someone else overruled them, as no one outside GMU has seen the reports.

GMU also ignored all other alleged plagiarism, about 35 pages of 91 in the WR and other cases, most reported to GMU in 2010-2011.

Of course, none of this is very relevant to [WEG2011, SAI2009] except as background material.

However, had this gone to trial, many documents would have been subpoenaed and many GMU witnesses called, given fact that Wegman and Said had introduced the WR.

p.4

'10. Mashey has continued to post negative blogs about Wegman and co-author Said.'

### Commentary

**10. True, misleading, irrelevant. What matters is credible evidence.** The last set of blog posts regarding Wegman and Said was in May 2013. [MAS2013b-e] were derived from [MAS2013a] sent 05/28/13 to GMU, acknowledged 05/31/13:

'Dear Dr. Mashey,

I am sending this e-mail to confirm receipt of your e-mailed allegation. As you may know, the George Mason University Misconduct in Research and Scholarship policy (4007, available here:

<http://universitypolicy.gmu.edu/policies/misconduct-in-research-and-scholarship/>) was updated on February 22, 2013. The above website houses our current policy and procedures for assessing allegations of research misconduct.

I am also sending this e-mail because I will be performing the initial assessment of the allegations you provided. In your e-mail you stated "Most have been reported previous and 2011 and were summarized, with side-by-side comparisons in the PDF attached to <http://www.desmogblog.com/see-no-evil-speak-little-truth-break-rules-blame-others>, citing the full-sized detailed analyses elsewhere." This appears to imply that there are a mix of allegations on the web-links you provided, including some previously reported to George Mason and some not previously reported to George Mason. If this is the case, I would appreciate an indication of which allegations are new. This information will allow for a more structured review.

Sincerely,

Aurali Dade, PhD

Assistant Vice President for Research Integrity & Assurance  
George Mason University

I replied 05/31/13 with the requested details. Wegman and Said have had nearly 2 years to challenge the evidence in the 4 blog posts above, which readers are free to view and assess for themselves.

*Since GMU has taken no visible action, [MAS2013a] is now published. It may shed light on the motivation and timing of these lawsuits. It also sheds light on the contradictions between the Wiley contract and claims made to get an alcoholism fellowship at the same time, §D.*

p.4

'11. Edward Wegman was also an editor and founder of the journal published by Wiley Reports (hereinafter, "Wiley"), known as the *Wiley Interdisciplinary Review of Computational Statistics* (hereinafter, "WIRES").

## Commentary

### 11. Terminology is confused

The Said complaint is similar:

'11. Said was also an editor and founder, along with Edward Wegman and others, of the journal published by Wiley Reports (hereinafter, "Wiley"), known as the *Wiley Interdisciplinary Review of Computational Statistics* (hereinafter, "WIRES")'

"Wiley Reports" seems a mystery, given:<sup>170</sup>

'Wiley-Blackwell, the scientific, technical, medical and scholarly publishing business of John Wiley & Sons, Inc (NYSE: JWa), (NYSE: JWb), today announced the online launch of the Wiley Interdisciplinary Reviews (WIRES).'

"Wiley Reports" seems non-existent, but **Wiley** is acceptable as a label for the actual publisher. **WIRES** is a confusing label for the journal Wegman, Said and Scott edited. Everything else here uses WIRES:CS:

**Wiley** John Wiley and Sons,<sup>171</sup> Wiley-Blackwell is division/imprint<sup>172</sup> Wiley-Blackwell<sup>173</sup> "scientific ... and scholarly publishing", incl WIRES  
**WIRES** Wiley Interdisciplinary Reviews– group of (12) journals  
 WIRES Computational Statistics, journal Wegman & Said edited, official  
 WIRES:CS, precise, but unofficial label sometimes used for above<sup>174</sup>  
**WIRES** Name used for WIRES:CS by Wegman & Said

<sup>170</sup> [www.wiley.com/WileyCDA/PressRelease/pressReleaseId-49213.html](http://www.wiley.com/WileyCDA/PressRelease/pressReleaseId-49213.html)  
[www.wiley.com/WileyCDA/PressRelease/pressReleaseId-68257.html](http://www.wiley.com/WileyCDA/PressRelease/pressReleaseId-68257.html)  
[olabout.wiley.com/WileyCDA/Section/id-811883.html](http://olabout.wiley.com/WileyCDA/Section/id-811883.html)

"23 New Wiley-Blackwell Journals" includes 3 WIRES journals

<sup>171</sup> [www.wiley.com/WileyCDA](http://www.wiley.com/WileyCDA)

<sup>172</sup> [www.wiley.com/WileyCDA/Section/id-302256.html](http://www.wiley.com/WileyCDA/Section/id-302256.html)

<sup>173</sup> [en.wikipedia.org/wiki/Wiley-Blackwell](http://en.wikipedia.org/wiki/Wiley-Blackwell)

<sup>174</sup> Most emails quoted here uses WIRES:CS, as did [MAS2012a, MAS2012c]

p.4

12. Wegman had a contract with Wiley to edit and write for the WIRES magazine, as attached at Exhibit 1.

13. In June 2012, Wegman was notified by Wiley that Wiley wished to sever its ties with Wegman based on communications it had received (hereinafter, "the letter writing campaign") complaining of the alleged plagiarism by Wegman.

14. In June 2012, Wegman was forced to resign his position from Wiley as editor of WIRES.

15. Wegman had a current, valid economic interest in his contract with Wiley.

16. Mashey, Doe, and others knew of the existence of this contract.

17. As a result of the forced resignation, Wegman lost, and will lose, future profits from the WIRES journal, as well as the ability to edit and publish, and the professional prestige and credibility such a position entails.

### Commentary

**12. False. Neither complaint had Exhibit 1 attached, and was only supplied 04/09/15.** The Court did not have them either.

**13. Disputed.** See §P.5.2, §P.A.3 and §Q.

Evidence is very strong that direct letters/email to Wiley and its BoD from Mashey and Doe March-September 2012 were given little weight at Wiley. The existing WR and other allegations (①) were known to Wiley no later than May 2011, but were never questioned or even mentioned by them. It seems unlikely that they would be the main cause of a termination 13 months later. The real complaints to Wiley were (④⑤⑥⑦), as per §Q.

**14. Plausibly true.** Wiley either thought it had just cause or not, but if not, our letters were not the reason for termination, §Q.4.

**16. False. How could we know anything about WIREs:CS contract?<sup>175</sup>** All that was known was that Wegman and Said claimed they had a contract to do an Encyclopedia that has yet to appear. Of course, whether we knew about it or not is irrelevant. A contract is not a defense against plagiarism allegations. The contract states that known use of non-original material could lead to termination, §D.2.

**17. Disputed. Wegman and Said had reputational challenges already.** In May 2011, Elsevier had forced a retraction of [SAI2008], well-publicized in May-June 2011 by *USA Today* [VER2011, VER2011a]. That was covered by *Nature*, *Science*, *Chronicle of Higher Education*, *Retraction Watch* and others, annotated §E. In February 2012, the related GMU ruling got publicized at *USA Today* [VER2012] and others, 4 months before Wegman and Said resigned. Distinguished statistician Columbia Professor Andrew Gelman wrote later in *American Scientist*, excerpted §E.203.05.

High-profile retractions and academic misconduct rulings are not pluses for academic careers, although Wiley had known most of these issues since May 2011 and did not seem to care. The Wiley-specific allegations may have mattered, but the Wegman/ Said lawsuit omits any mention of them..

<sup>175</sup> Had I had known any details, they absolutely would have been included in [MAS2013b-e], as the contract is contributory evidence towards misuse of Federal funding, as explained in §D.

**p.4**

18. On information and belief, John Mashey, John Doe, and others conspired to orchestrate the letter writing campaign against Wegman to Wiley.

19. John Mashey, John Doe, and others used defamation and engaged in common law and statutory conspiracy to get Wegman removed from the editorial board at Wiley by the letter writing campaign.

20. None of the statements to Wiley were protected or privileged.

**p.5**

21. Wegman was never found to have committed plagiarism, and any such allegation is untrue.’

22. John Mashey, John Doe, and others were motivated by malice, spite, and ill will, all driven by a publicly expressed desire to discredit or ruin their opposition.

**Commentary**

**18. Disputed.** Finding and documenting plagiarism is often a community effort in which people cooperate enough to avoid duplication and minimize wasted time on the part of editor or publisher. For example, unbeknownst to each other, several people filed complaints with Elsevier for [SAI2008], and only discovered that later. Exposing plagiarism and getting journals to act on it is a public service, in general applauded within academia and elsewhere, such as *Nature* and *Science*.

**19, 21 Disputed.** Truth is an absolute defense against a defamation complaint.<sup>176</sup> Evidence is strong that both GMU and Wiley broke their own published rules to avoid admitting plagiarism on the part of Wegman and/or Said. Whether GMU or Wiley admit it, many academics and misconduct experts think it is obvious, **§E**.

**21. False or disputed, depending on interpretation of “never”**

**False.** The claim “never” was not limited to Wiley, Elsevier had forced a retraction for plagiarism, and GMU grudgingly admitted that.

**Or Disputed,** if “never” meant “Wiley never”

Wiley forced Wegman and Said’s resignation, who just disappeared silently from the WIREs:CS masthead. Did they do that for some other reason, or did they actually “find” that Wegman and Said plagiarized, but refuse to say so publicly? Sometimes institutions and publishers break their own published rules to avoid publicly ruling that employees plagiarized?

**22. Disputed.**

Many people despise plagiarism<sup>177</sup> and spend hours exposing and documenting it, in part in support of general academic integrity, and sometimes to help right the wrongs done to others.

No malice, spite or ill will is involved. If Wegman and Said were the “opposition,” that was their choice, to do the WR. When [DEE2009] appeared, they could have retracted it, apologizing for sloppiness.

If there is malice, one might look for it in these lawsuits and Wegman’s comments, **§T**.

<sup>176</sup> [en.wikipedia.org/wiki/Defamation](https://en.wikipedia.org/wiki/Defamation) State rules vary, but generally truth works.

<sup>177</sup> When teaching at Penn State in the 1970s, I warned students that if they copied software programs and I caught them, I would flunk them.

**p.5**

‘COUNT ONE-TORTIOUS INTERFERENCE WITH CONTRACT

23. Plaintiff Said reincorporates paragraphs 1 through 22, inclusive.

24. Plaintiff Wegman had a valid contract with Wiley and had expectations of continuing economic benefits.

25. Defendants Mashey and Doe knew of the contract and the continued economic expectancies.

26. Defendants Mashey and Doe intentionally interfered with the contract and the continued economic expectancies by orchestrating the letter writing campaign.

27. Defendants Mashey and Doe used improper methods to interfere with the contract and economic expectancies; namely, by committing defamation and conspiracy to injure the reputation of Plaintiff Wegman.

28. As a direct result, Plaintiff Wegman has suffered losses, namely, being forced to resign and forfeit his contract and economic expectancies.

29. Plaintiff Wegman has been injured in an amount to be determined at trial, but in any case, not less than \$100,000.00.

30. Defendants Mashey and Doe acted intentionally with ill will and malice in orchestrating the letter writing campaign.’

**p.6**

‘31. Because of this malice and ill will, Plaintiff Wegman is entitled to punitive damages, and prays this court for an award of \$350,000.00.’

**Commentary**

**23-31 Disputed, all covered earlier.**

**27 Disputed.**

**Said version**

‘31. Because of this malice and ill will, Plaintiff Siad (*sic*) is entitled to punitive damages, and prays this court for an award of \$350,000.00.

**p.6**

**‘COUNT TWO-COMMON LAW CONSPIRACY**

32. Paragraphs 1 to 31 inclusive are re-alleged herein.

33. Defendants Mashey and Doe conspired to induce Wiley to breach its contract with Plaintiff Wegman through the letter writing campaign.

34. Defendants conspired intentionally and with willfulness and malice to interfere with Plaintiff Wegman's contract.

35. The Conspiracy caused damage to Plaintiff Wegman, including Wiley's breach of the contract.

36. Plaintiff Wegman has been injured in an amount to be determined at trial, but in any case, not less than \$100,000.00.

37. Because of this malice and ill will, Plaintiff is entitled to punitive damages, and prays this Court for an award of \$350,000.00.

**COUNT THREE- STATUTORY CONSPIRACY**

38. Paragraphs 1 through 37 inclusive are re-alleged.

39. In violation of Virginia Code Sections 18.2-499 and 18.2-500, Defendants Mashey and Doe combined and conspired to injure Plaintiff Wegman in his profession and reputation willfully and maliciously through the letter writing campaign to Wiley.

**Commentary**

**32-37 Disputed, all covered earlier.**

**38-39 Disputed, all covered earlier.**

p.7

40. Plaintiff Wegman’s professional reputation has been injured as a result of this combination, including the loss of income from the Wiley contract in an amount to be determined at trial, but no less than \$100,000.00.

41. Plaintiff Wegman prays this Court for treble damages in accordance with Virginia Code § 182-500.

42. Plaintiff Wegman prays this court for reasonable attorney fees in accordance with Virginia Code §18.2-500.’

WHEREFORE, your Plaintiff Edward Wegman prays this Court for damages against the Defendants for tortious breach of contract, for common law conspiracy and for statutory conspiracy, for treble damages as permitted by statute, for reasonable attorney fees as permitted by statute, and for any such other relief as this court deem meet and fit.

Respectfully Submitted,  
Edward J. Wegman.  
By counsel

Milton C. Johns, VSB # 4  
Day & Johns, PLLC  
10560 Main St., Ste. 2  
Fairfax, Virginia 220 0  
Voice: (703) 268-5600  
Facsimile: (703) 268-5602  
· Counsel for Plaintiff Edward Wegman.

**40-42. Disputed, all covered earlier.**

*No actual signature by Wegman (or Said).*

*\$100K Tortious interference, injury, no less than  
\$350K Tortious interference, punitive  
\$100K Common law conspiracy, injury, no less than  
\$350K Common law conspiracy, punitive  
\$100K Statutory conspiracy, reputation injury, no less than  
\$1M Total for each of Wegman and Said*

## D. Wiley Contract, first received 04/09/15

### D.1 Wiley Background, original work required

In 2010, Wegman, Said and Scott described the origin of the journal:<sup>178</sup>

‘WIREs is a WINNER

A group of us met with the editorial management of John Wiley and Sons in Hoboken, NJ in **December of 2005**. The original idea was to create an *Encyclopedia of Computational Statistics* analogous to Wiley’s highly successful *Encyclopedia of Statistical Sciences*. **After we signed a contract to develop the *Encyclopedia***,<sup>179</sup> we met Wiley-Blackwell Vice President and Publisher Sean Pidgeon. Sean floated the idea of *Wiley Interdisciplinary Reviews (WIREs)* to us.<sup>180</sup> We agreed that the *WIREs* concept was intriguing and after a number of months of soliciting manuscripts our new journal was **launched officially in July-August 2009** titled as *Wiley Interdisciplinary Reviews: Computational Statistics*. As earlier readers will know, *WIREs Computational Statistics* is a hybrid review publication that is **by invitation only**, is **refereed**,<sup>181</sup> and publishes in color as needed. Over time, its content will build to provide an encyclopedic coverage of the field. ...

We are proud and elated that our efforts with *WIREs Computational Statistics* have played a significant part in earning these prestigious awards for the WIREs program. We now have more than 120 submissions and **are looking forward to a bright future for our journal.**’

The 03/05/08 Guide for Authors, p.2 showed:<sup>182</sup>

‘**Dr. Yasmin H. Said**

**Co-Editor in Chief and Managing Editor**’ p.8

**p.8** ‘The manuscript you submit should be the final version that you wish to be sent for **peer review**.’

**p.12** **Articles commissioned** for *WIREs: Computational Statistics* will be submitted and **peer-reviewed**... In order to facilitate the **peer review**<sup>183</sup> process, at the time you submit your manuscript, please be sure to enter the names and email addresses of 4–5 potential reviewers who are familiar with the topic.’

The contract clearly gave Wiley legal right to terminate Wegman and Said for using non-original material, **even if no one would admit it publicly**.

An annotated contract<sup>184</sup> is included, but the lawsuit-relevant paragraphs are:

**pp.14-15**<sup>185</sup> ‘17. **Termination ...**’

‘(b) The Publisher may terminate this Agreement with respect to one or more Editors in the event:

(i) an Editor resigns or **fails to fully and satisfactorily perform such Editor’s duties hereunder**, whether as a result of disability, death, or otherwise; or ...’  
(various other reasons)

‘(c) In the event of termination with respect to one or more of the Editors pursuant to sections (i), (ii) or (iv) of subparagraph (b) above, the Publisher shall have the right to appoint a new editor or otherwise complete the publication of the Work, and the **Publisher shall have no further obligation** or liability to the terminated Editor(s) hereunder.

#### 18. **Warranties and Indemnities**

(a) The Editors **jointly and severally** warrant and represent that:

- (i) with respect to any material prepared by the Editors for the Work, **5 6** **such material shall be original**, except for such excerpts and illustrations from copyrighted works for which the Editors have obtained written permission from the copyright owners on a form approved by the Publisher, ...
- (ii) the **Editors will not include in the Work any contribution or material written or illustrated by others that the Editors believe or have reason to know or suspect may not be original ...**’

The original *Wegman.Exhibit.pdf* included instructive metadata:

Acrobat File>Properties>Description

Created: **5/31/2012** 2:30:43 PM

*Shortly before resignations*

Modified: 4/9/2015 4:17:50 PM

*Just before sent to my lawyers*

<sup>178</sup> ‘WIREs is a WINNER’ [onlinelibrary.wiley.com/doi/10.1002/wics.85/full](http://onlinelibrary.wiley.com/doi/10.1002/wics.85/full)

<sup>179</sup> That was a contract for Encyclopedia, not WIREs:CS, and they naturally failed, but it took 2 years to realize that and evolve this into WIREs:CS.

<sup>180</sup> This reads as though the discussion with Pidgeon occurred shortly thereafter, but the contract clearly got reworked 2 years later.

<sup>181</sup> The quality of refereeing seemed to vary greatly, **§Q.5**.

<sup>182</sup> [media.wiley.com/assets/2205/94/WIREs\\_comp\\_stats\\_author\\_guide.pdf](http://media.wiley.com/assets/2205/94/WIREs_comp_stats_author_guide.pdf)

[www.webcitation.org/5xyt55RyU](http://www.webcitation.org/5xyt55RyU)

<sup>183</sup> Who would believe that SAI2009 had been peer-reviewed by anyone?

<sup>184</sup> [http://www.desmogblog.com/sites/beta.desmogblog.com/files/1-1\\_0.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/1-1_0.pdf)

<sup>185</sup> PDF page numbers are used, not internal page numbers, given duplicates.

**D.2 Aggressive schedules, failure to deliver, no Encyclopedia**

The annotated PDF<sup>186</sup> has an original contract plus an update:

- 01/15/06 Encyclopedia plan**
- 9-17 Wegman, Scott, Said and Solka with Wiley
- 18-20 Exhibit B: Advisory Editor Agreement – copy to sign
- 21-23 Exhibit C: Contributor Agreement – copy to sign
- 24 Exhibit A: Schedule
- 01/31/08 Convert to WIREs:CS plan**
- 25-27 Wegman, Said, Scott and (Solka) with Wiley – revised
- 28-29 Exhibit A: WIREs CS: Proposed Redistribution of Tasks

**01/15/06** The contract committed Editors to produce a 3,760-page Work, but due dates seemed contradictory:  
**2006A** by 10/15/06 (p.9) which seems *absurd*, 418 pages/month  
**2006B** by 03/01/08 (p.24), 150 pages/month, still fantasy  
 May 2015 count was 3,518, so the goal should be achieved, 7-9 years late.

**01/31/08** They modified the contract, as obviously it wasn't working. Jeffrey Solka dropped out and they increased administrative help as Said was obviously struggling. As seen shortly, she had many other distractions.

‘It is fair to say that, when we proposed Yasmin for the role of Managing Editor, we had underestimated the complexity of managing this project remotely via Manuscript Central. In particular, the necessity of keeping detailed project records via spreadsheet, in addition to staying on top of Manuscript Central (with its known quirks and occasional bugs), answering routine administrative queries, and addressing substantive content-related questions, seems to place an onerous burden on Yasmin. Matters are further complicated by Yasmin's extended foreign absences (with attendant time zone issues and sometimes limited connectivity), which we had not quite foreseen.’

- They reset the schedule, for delivery of 300 “core” articles:
- 2008-1** 06/15/08 75 (1<sup>st</sup> 25%, in 5.5 months), 13.6 articles / month
  - 2008-2** 09/15/08 150 (+2<sup>nd</sup> 25%, in 3 months, 25.0 / month)
  - 2008-3** 02/01/09 300 (+remaining 50%, in 4.5 months), 33.3 / month

The actual production<sup>187</sup> rates fell far below these, as seen next.

<sup>186</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/1-1\\_0.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/1-1_0.pdf)  
<sup>187</sup> [wires.wiley.com/WileyCDA/WiresIssue/wisId-WICS.html?pageType=all&al=ai](http://wires.wiley.com/WileyCDA/WiresIssue/wisId-WICS.html?pageType=all&al=ai) and data from 2011Wiley.xlsx  
 Numbers are good approximation, despite many caveats.

**D.3 WIREs:CS publication rates, fantasy versus actual**

Months	Pages	Articles	Plan			Pages/mo	Articles/mo						
9	3760		2006A			418		Fantasy					
25	3760		2006B			150							
5.5		75	2008-1				13.6						
3		75	2008-2				25.0						
4.5		150	2008-3				33.3						
36	2060	209	Actual, including W+S			57	5.8						
36	1458	125	Actual, after W+S			41	3.5						
Pre-Launch Wegman+Said+Scott+(Solka), Jan 2006 - June 2009													
WIREs:CS Wegman+Said+Scott Red: detailed analysis May 2011 for Wiley													
Boxes approximate timing of \$5K progress payments to Said, gone before 4th													
Year	# pages Year	# pages Cum	Issue #, # articles						# articles Yr Tot	# articles Cum	Avg pages / Article / Issue		
2008			\$5K										
2009	367	367				17	14	16	47	47	8	122	
2010	773	1140	15	14	13	11	14	12	79	126	9	129	
2011	581	1721	9	10	11	7	9	7	53	179	10	97	
2012	339	2060	11	10	9				30	209	10	113	
2012	248	2308				8	10	9	27	236	10	83	
2013	488	2796	8	5	6	6	7	8	40	276	10	81	
2014	475	3271	6	6	5	9	6	7	39	315	10	79	
2015	247	3518	8	5	6				19	334	11	82	
		After W+S	1458						125				

WIREs:CS publication rates dropped after 2009-2010. They should have built a pipeline of articles available for launch and maybe they worked hard. Comments to Wiley raised concerns about consistency and quality of review under Managing Editor Said, and also the seemingly-high percentage of articles by Wegman students and associates, §Q.1.1, §Q.5. Such may have raised early rates. Then, Scott was the sole Editor for a year and in any case, the article pipeline may have been drained.

Said had gotten her PhD in 2005, and the January 2008 contract (p.28) implies she had been Managing Editor for some time. She seemed rather junior for this role, had started an alcoholism postdoc in May 2006 and of course was working on the WR on topics completely outside her expertise.

The other WIREs journals *seemed credible*, run as normal journals by senior editors, who not only solicited articles, but also accepted proposals and had them clearly peer-reviewed, thanking reviewers.<sup>188</sup>

<sup>188</sup> [wires.wiley.com/WileyCDA/WiresJournal/wisId-WCC.html](http://wires.wiley.com/WileyCDA/WiresJournal/wisId-WCC.html)

#### D.4 Wiley contract strengthens FOIA Facts funds misuse allegations

The 2013 “FOIA Facts” blog posts were:

- MAS2013b FOIA Facts 1 - More Misdeeds By Ed Wegman, Yasmin Said, George Mason University<sup>189</sup>
- MAS2013c FOIA Facts 2 - No Pro Bono - Federal Funds Mis-Used For Wegman Report And Much More<sup>190</sup>
- MAS2013d FOIA Facts Spreadsheet<sup>191</sup> (attached above)
- MAS2013e FOIA Facts 3 - More Plagiarism - Get Grants Or Claim Credit<sup>192</sup>
- MAS2013f FOIA Facts 4 - George Mason Takes The Money And Breaks The Rules<sup>193</sup>

They based on a then-unpublished 170-page report, sent 05/28/13 to Aurali Dade, Assistant Vice President for Research Integrity & Assurance:

- MAS2013a FOIA Facts: Ed Wegman, Yasmin Said, George Mason University<sup>194</sup> This dense document gathers much data and patterns, necessarily to support serious allegations.

In 2013, I thought Wegman and Said were over-extended from 2006-2009, producing little substantial for Said’s fellowship and Wegman’s grants. The now-revealed Wiley contract implies a huge additional workload. **It strengthens allegations of funds misuse.** Other than \$15,000 in Said progress payments, the contract would pay them nothing until months after WIREs:CS switched from free to paid, implied ~Sept 2011.<sup>195</sup> *Were they doing this in “spare time” or using other funding?*

Wegman (and perhaps Said) were supposed to write a 2007 book based on the WR for Wiley and it has not appeared yet either.

Wegman’s accustomed funding may have begun to diminish in 2005. He and Said seemed to keep hunting in different areas for funding, without accomplishing much in any of them, in stark contrast to Wegman’s earlier contributions and accomplishments.

<sup>189</sup> [www.desmogblog.com/foia-facts-1-more-misdeeds](http://www.desmogblog.com/foia-facts-1-more-misdeeds)

<sup>190</sup> [www.desmogblog.com/foia-facts-2-no-pro-bono-federal-funds-mis-used](http://www.desmogblog.com/foia-facts-2-no-pro-bono-federal-funds-mis-used)

<sup>191</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet.xls](http://www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet.xls)

<sup>192</sup> [www.desmogblog.com/foia-facts-3-more-plagiarism-get-grants-claim-credit](http://www.desmogblog.com/foia-facts-3-more-plagiarism-get-grants-claim-credit)

<sup>193</sup> [www.desmogblog.com/foia-facts-4-george-mason-takes-the-money-breaks-the-rules](http://www.desmogblog.com/foia-facts-4-george-mason-takes-the-money-breaks-the-rules)

<sup>194</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/FOIA.Facts\\_.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/FOIA.Facts_.pdf)

This was the 170-page base document, For FOIA Facts 1-4.

<sup>195</sup> [andrewgelman.com/2011/09/28/wiley-wegman-chutzpah-update](http://andrewgelman.com/2011/09/28/wiley-wegman-chutzpah-update)

*This interesting history* may offer insight, especially the last 2 slides: T115 W<sup>196</sup> [MAS2013c, MAS2013a p.81]

“40 Years of Statistics Research: A Personal Perspective,” 40 years of Statistical Computing and Beyond, Murray Hill, NJ, April, 2005

“2003 ONR abolishes Statistics and Probability Program ...

**ARO Statistics Program down to \$800,000 ...**

Best of times and the worst of times ...

**Basic research support in statistics by federal government (and industry?) severely eroded,** but statistics ... data ... is everywhere.

**Where is some action?**

**Social network modeling – homeland security**

**Streaming data**

**Text and Image data mining’**

[MAS2013d Sheet §0.3]<sup>197</sup> gave a detailed chronology of Wegman and Said’s activities, updated in **§D.5** for the Wiley contract, whose pre-WIREs:CS-launch Wiley contract period is highlighted in yellow.

For an overview, readers might skim [MAS2013b-e] then study key sections of [MAS2013a], which has been annotated to insert the Wiley contract dates, as they show pervasive commitment conflicts:

Executive Summary – 1<sup>st</sup> 4 pages

§H Possible distractions - 4 pages

§I Known travel - 2 pages

§S long history of Said’s NIAAA fellowship and results – 28 pages

[MAS2013a] raised many issues about sincerity of promises made to gain Said’s NIAAA fellowship, but the Wiley contract adds more evidence.

**It is alleged here that her postdoc had little to do with a real desire to pursue a lifelong career in alcoholism research,**<sup>198</sup> but rather to have her at GMU as Wegman’s assistant on a huge range of unrelated activities: WR, Wegman conferences, Army contracts, supervising students and now Wiley. Alcohol works vanished before the end of the fellowship, **whose money could have supported some postdoc who meant it.**

<sup>196</sup> [MAS2013a p.42] T115 is the code for that talk [stat.bell-labs.com/JMCWorkshop/wegmanTalk.pdf](http://stat.bell-labs.com/JMCWorkshop/wegmanTalk.pdf) at [ect.bell-labs.com/sl/JMCWorkshop/index.html](http://ect.bell-labs.com/sl/JMCWorkshop/index.html) 04/29/05

<sup>197</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet.xls](http://www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet.xls) original

Following is version annotated / shaded with WIREs: pre-launch period

[www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet2.xls](http://www.desmogblog.com/sites/beta.desmogblog.com/files/Sheet2.xls)

<sup>198</sup> Of course, people change career goals, but the evidence seems clear:

Wegman cared about alcoholism research, not Said. I meet health postdocs often, and they seem strongly-focused on relevant research and education. Said did not.



## E. External samples - newspapers, magazines or academic blogs

This section samples coverage of alleged plagiarism by Wegman and/or Said, but is by no means comprehensive. Many other blogs discussed it.

### E.2010.10.08 *USA Today*

Dan Vergano wrote in [VER2010]:<sup>199</sup>

#### 'University investigating prominent climate science critic'

'Officials at George Mason University confirmed Thursday that they are investigating plagiarism and misconduct charges made against a noted climate science critic.' ....

### E.2010.11.22 *USA Today*

Dan Vergano wrote in [VER2010a]:<sup>200</sup>

#### 'Experts claim 2006 climate report plagiarized'

'An influential 2006 congressional report that raised questions about the validity of global warming research was partly based on material copied from textbooks, Wikipedia and the writings of one of the scientists criticized in the report, plagiarism experts say.

Review of the 91-page report by three experts contacted by USA TODAY found repeated instances of passages lifted word for word and what appear to be thinly disguised paraphrases.' ....

'Bradley says he learned of the copying on the *Deep Climate* website and through a now year-long analysis of the Wegman report made by retired computer scientist John Mashey of Portola Valley, Calif. Mashey's analysis concludes that 35 of the report's 91 pages "are mostly plagiarized text, but often injected with errors, bias and changes of meaning." Copying others' text or ideas without crediting them violates universities' standards, according to **Liz Wager**<sup>201</sup> of the London-based Committee on Publication Ethics.'

### E.2010.11.22a *Chronicle of Higher Education*

Paul Basken wrote:<sup>202</sup>

#### 'George Mason U. Investigates Alleged Plagiarism in Climate Report'

'George Mason University is reviewing allegations that Edward J. Wegman, a professor of statistics, plagiarized large parts of a 2006 report that Congressional Republicans have used to discredit scientific findings about global warming. USA Today<sup>203</sup> has quoted a university spokesman as saying that "the matter is under investigation," and the newspaper reports that the university no longer has computer records that might help adjudicate the matter, and Mr. Wegman said he would not release such material.'

*Short CHE news items serve primarily to alert readers to news elsewhere. Sometimes the comments on such posts are quite informative.*

### E.2010.11.23 *USA Today*

Dan Vergano wrote in [VER2010b]:<sup>204</sup>

#### 'Climate science critic responds to allegations'

'The author of a report critical of climate scientists defended himself against plagiarism charges Tuesday, and denied he was pressured by Republicans to tilt the report. ...

"I will say that there is a lot of speculation and conspiracy theory in John Mashey's analysis which is simply not true," Wegman said.' ...

### E.2010.11.23a *USA Today*

Dan Vergano wrote in [VER2010c]:<sup>205</sup>

#### 'Wegman report round-up'

'An influential 2006 congressional report that raised questions about the validity of global warming research was partly based on material copied from textbooks, Wikipedia and the writings of one of the scientists criticized in the report, plagiarism experts say.

### E.2010.11.23b *Mother Jones*

Kate Sheppard wrote]:<sup>206</sup>

#### 'Smokey Joe Strikes Again?'

'Turns out climate skeptics' favorite report might not be as scientific as Congressman Joe Barton claims.' ...

<sup>202</sup> [chronicle.com/blogs/ticker/george-mason-u-investigates-plagiarism-in-climate-report/28513](http://chronicle.com/blogs/ticker/george-mason-u-investigates-plagiarism-in-climate-report/28513)

<sup>203</sup> Link to VER2010

<sup>204</sup> [usatoday30.usatoday.com/weather/climate/globalwarming/2010-11-22-plagiarism\\_N.htm](http://usatoday30.usatoday.com/weather/climate/globalwarming/2010-11-22-plagiarism_N.htm)

<sup>205</sup> [content.usatoday.com/communities/sciencefair/post/2010/11/wegman-report-round-up/1](http://content.usatoday.com/communities/sciencefair/post/2010/11/wegman-report-round-up/1)

<sup>206</sup> [www.motherjones.com/environment/2010/11/joe-barton-wegman-report](http://www.motherjones.com/environment/2010/11/joe-barton-wegman-report)

<sup>199</sup> [content.usatoday.com/communities/sciencefair/post/2010/10/wegman-plagiarism-investigation-/1](http://content.usatoday.com/communities/sciencefair/post/2010/10/wegman-plagiarism-investigation-/1) UPDATE 05/26/11 on Walsch comments

<sup>200</sup> [www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned\\_N.htm](http://www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned_N.htm)

<sup>201</sup> I contacted her much later.

**E.2011.05.15 *USA Today***

Dan Vergano wrote in [VER2011]:<sup>207</sup>

**‘Climate study gets pulled after charges of plagiarism’**

‘Evidence of plagiarism and complaints about the peer-review process have led a statistics journal to retract a federally funded study that condemned scientific support for global warming.’ ...

**E.2011.05.16 *USA Today***

Dan Vergano wrote in [VER2011a]:<sup>208</sup>

**‘Retracted climate critics’ study panned by expert’**

‘Plagiarism and peer review concerns aside, some readers are asking whether a soon-to-be-retracted study by climate critics was any good. So, we asked an expert.’

**E.2011.05.17 *Chronicle of Higher Education***

Paul Basken wrote:<sup>209</sup>

**‘Journal Retracts George Mason U. Scholar’s Critique of Global Warming’**

‘The journal *Computational Statistics and Data Analysis* has retracted an article by Edward Wegman, a professor of data sciences and applied statistics at George Mason University, that has figured prominently in the debate over global warming. Mr. Wegman’s 2008 article challenged the scientific consensus about man-made causes of climate change, and *USA Today* is reporting that the journal has now retracted the article because of problems that include evidence of plagiarism. Mr. Wegman’s lawyer denied allegations of plagiarism in an e-mail to the newspaper. A university spokesman declined to comment.’ *This got 9 comments*

**E.2011.05.17a *The Statistics Forum***

Andrew Gelman wrote:<sup>210</sup>

**‘Statistics in the news — but not in a good way’**

This is read by statisticians:

‘brought to you by the American Statistical Association and CHANCE magazine.

The article got 60 responses, well worth reading, as some of the commenters had been following this more closely, leading to spirited interactions.

**E.2011.05.17b *Wired / Ars Technica***

John Timmer wrote:<sup>211</sup>

**‘Climatology-Defying Paper Yanked for Plagiarism’**

‘The so-called “hockey stick” plot of recent climate, in which recent temperatures appear as a sudden and anomalous rise after a thousand years of relative stability, has become a bit of an icon for climate change. Even though it’s rather secondary to the concerns about rising greenhouse gas levels — CO<sub>2</sub> would be a concern even if we were limited to the 150 years of instrument records — the hockey stick attracted so much attention that, in 2006, it was the subject of congressional hearings. Now, it appears that the sharpest critic of climate scientists at those hearings relied on plagiarized material to prepare his report.’ ...

‘Given the overlap between the paper and the Congressional report, if the paper contained plagiarized material, the report almost certainly does as well.’

<sup>207</sup> [www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman\\_n.htm](http://www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman_n.htm)

<sup>208</sup> [content.usatoday.com/communities/sciencefair/post/2011/05/retracted-climate-critics-study-panned-by-expert-/1](http://content.usatoday.com/communities/sciencefair/post/2011/05/retracted-climate-critics-study-panned-by-expert-/1)

<sup>209</sup> [chronicle.com/blogs/ticker/journal-retracts-george-mason-u-scholars-critique-of-global-warming/33108](http://chronicle.com/blogs/ticker/journal-retracts-george-mason-u-scholars-critique-of-global-warming/33108)

<sup>210</sup> <https://statisticsforum.wordpress.com/2011/05/17/statistics-in-the-news-but-not-in-a-good-way/>

<sup>211</sup> [www.wired.com/2011/05/climate-change-critic-retraction/](http://www.wired.com/2011/05/climate-change-critic-retraction/)

*Retraction Watch* is a widely-read blog by Ivan Oransky<sup>212</sup> and Adam Marcus,<sup>213</sup> who started it to encourage transparency of retractions, after long experience with scientific publication. Its parent organization, the *Center for Scientific Integrity* has a strong Board of Directors,<sup>214</sup> and a grant from the John D. and Catherine T. MacArthur Foundation.

Plagiarism retractions appear often,<sup>215</sup> but journal editors often seem reluctant to explain retractions.<sup>216</sup> Hence, it often takes persistence on the part of the public to urge them towards transparency.<sup>217</sup>

Discussions at *Retraction Watch* often illustrate community efforts discovering and reporting problems.<sup>218</sup>

### E.2011.05.17c *Retraction Watch*<sup>219</sup>

**‘Controversial paper critiquing climate change science set to be retracted because of plagiarism’** with 6 comments

A controversial study of how relationships between climate change scientists may affect the field, and that has been dogged by charges of plagiarism, will be retracted, *USA Today* reports.

The abstract of the 2008 paper in *Computational Statistics and Data Analysis*, by Edward Wegman and colleagues, concluded:

“We conjecture that certain styles of co-authorship lead to the possibility of group-think, reduced creativity, and the possibility of less rigorous reviewing processes.” (*The paper itself illustrated the conjecture*)

According to *USA Today*:

“Its analysis was an outgrowth of a controversial congressional report that Wegman headed in 2006. The “Wegman Report” suggested climate scientists colluded in their studies and questioned whether global warming was real. The report has since become a touchstone among climate change naysayers.

The journal publisher’s legal team “has decided to retract the study,” said *CSDA* journal editor Stanley Azen of the University of Southern California, following complaints of plagiarism. A November review by three plagiarism experts of the 2006 congressional report for USA TODAY also concluded that portions contained text from Wikipedia and textbooks. The journal study, co-authored by Wegman student Yasmin Said, detailed part of the congressional report’s analysis.”

The journal is published by Elsevier. Wegman’s attorney told *USA Today* that neither Wegman nor co-author Yasmin Said had committed plagiarism; he blamed a student.

Scientists don’t seem to have taken much notice of the paper, which has only been cited four times, according to Thomson Scientific’s Web of Knowledge. Dan Vergano, the *USA Today* reporter who has been on top of the story and who broke the news of the retraction in yesterday’s paper, has more criticism of the paper by a network researcher and plagiarism expert, as well as emails between Wegman and journal editor Azen, [here](#).

The site Deep Climate, which first noted the possibility of plagiarism in 2009, also posted on the retraction [this week](#). The site also continues to question another paper by Wegman’s group.

*Hat tips: Mike Slattery, John Fleck, Dan Vergano, Joe Rojas-Burke, John Mashey*

<sup>219</sup> [retractionwatch.com/2011/05/17/controversial-paper-critiquing-climate-change-science-set-to-be-retracted-because-of-plagiarism](http://retractionwatch.com/2011/05/17/controversial-paper-critiquing-climate-change-science-set-to-be-retracted-because-of-plagiarism)

<sup>212</sup> [retractionwatch.com/meet-the-retraction-watch-staff/about](http://retractionwatch.com/meet-the-retraction-watch-staff/about)

<sup>213</sup> [retractionwatch.com/meet-the-retraction-watch-staff/about-adam-marcus](http://retractionwatch.com/meet-the-retraction-watch-staff/about-adam-marcus)

<sup>214</sup> [retractionwatch.com/the-center-for-scientific-integrity/board-of-directors/](http://retractionwatch.com/the-center-for-scientific-integrity/board-of-directors/)

<sup>215</sup> [retractionwatch.com/?s=plagiarism](http://retractionwatch.com/?s=plagiarism)

<sup>216</sup> [retractionwatch.com](http://retractionwatch.com) ; [en.wikipedia.org/wiki/Retraction\\_Watch](http://en.wikipedia.org/wiki/Retraction_Watch)

[en.wikipedia.org/wiki/Retraction](http://en.wikipedia.org/wiki/Retraction)

<sup>217</sup> This report illustrates examples of at least 3 organizations that simply could not bring themselves to publicly rule plagiarism by Wegman or Said: GMU, Wiley, and the Washington Academy of Sciences.

<sup>218</sup> [retractionwatch.com/2014/02/01/dmca-notice-forces-removal-of-post-critical-of-author-who-threatened-to-sue-retraction-watch](http://retractionwatch.com/2014/02/01/dmca-notice-forces-removal-of-post-critical-of-author-who-threatened-to-sue-retraction-watch) *bizarre, perhaps classic*

**E.2011.05.20 *Statistical Modeling, Causal Inference, and Social Science***

Andrew (Gelman) wrote:<sup>220</sup>

**‘Why no Wegmania?’**

A colleague asks:

When I search the web, I find the story [of the article by Said, Wegman, et al. on social networks in climate research, which was recently bumped from the journal Computational Statistics and Data Analysis because of plagiarism] only on blogs, USA Today, and UPI. Why is that? Any idea why it isn’t reported by any of the major newspapers?

Here’s my answer:

1. USA Today broke the story. Apparently this USA Today reporter put a lot of effort into it. The NYT doesn’t like to run a story that begins, “Yesterday, USA Today reported...”

2. To us it’s big news because we’re statisticians. [The main guy in the study, Edward Wegman, won the Founders Award from the American Statistical Association a few years ago.] To the rest of the world, the story is: “Obscure prof at an obscure college plagiarized an article in a journal that nobody’s ever heard of.” When a Harvard scientist paints black dots on white mice and says he’s curing cancer, that’s news. When Prof. Nobody retracts an article on social networks, that’s not so exciting. True, there’s the global warming connection. I think it’s possible the story will develop further. If these statisticians get accused of lying to Congress, that could hit the papers.

Basically, plagiarism is exciting to academics but not so thrilling to the general public if no celebrities are involved. I expect someone at the Chronicle of Higher Education

3. One more thing: newspapers like to report things that are clearly news: earthquakes, fires, elections, arrests, . . . If criminal charges come up or if someone starts suing, then I could see the court events as a hook on which to hang a news story.

Any other thoughts?

This got 8 comments. Commenter Jonathan Gilligan (US) is an academic.

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<sup>220</sup> [andrewgelman.com/2011/05/20/why\\_no\\_wegmania](http://andrewgelman.com/2011/05/20/why_no_wegmania)

Gelman is a distinguished Columbia U statistician who especially dislikes plagiarism.

[www.stat.columbia.edu/~gelman](http://www.stat.columbia.edu/~gelman)

**E.2011.05.26 Nature Editorial**

The Editors wrote in [NAT2011]:

**Copy and paste A slow university investigation into serious accusations of misconduct benefits no one.**

As retractions go, it may not look like a big deal. Earlier this month, a statistics journal decided to pull a little-cited 2008 paper on the social networks of author-co-author relationships after it emerged that sections were plagiarized from textbooks and Wikipedia. The fact that this caused a wave of glee to ripple through the climate-change blogosphere takes some explaining.

Two of the paper's authors, Yasmin Said and Edward Wegman, both of George Mason University in Fairfax, Virginia, are also authors of an infamous 2006 report to Congress, co-written with statistician David Scott of Rice University in Houston, Texas. That report took aim at climatologist Michael Mann of Pennsylvania State University in University Park, suggesting that he was working in an isolated social network separated from “mainstream statisticians”, and that he had such close ties with the rest of the field that truly independent peer review of his work was not possible. This report came to be known as the Wegman report, and has been frequently cited by climate-change sceptics.

This social-network analysis of Mann and his co-authors — with Mann's name removed — was cut down to an academic paper and published two years later in the journal *Computational Statistics & Data Analysis*. It is this paper that the journal has decided to retract. So it seems likely that the plagiarism in the 2008 paper is also present in the 2006 Congress report. Still not look like a big deal? That doubts about the 2006 report have resulted in concrete action is mainly down to the sterling work of an anonymous climate blogger called Deep Climate. His website first reported plagiarism in a different section of the congressional report in December 2009. One of those whose work was plagiarized is Raymond Bradley, director of the Climate System Research Center at the University of Massachusetts, Amherst. Ironically, Bradley was one of the co-authors of the climate reconstructions criticized by the Wegman report. Bradley, alerted by Deep Climate, complained to George Mason University on 5 March last year.

Wegman has blamed a graduate student for the plagiarism. Daniel Walsch, spokesperson for George Mason University, says that an internal review of the matter began in the autumn. He cannot estimate when that review will be complete, and, until it is, he says, the university regards it as a “personnel matter” and will not comment further. He adds that the review is still in the “inquiry” phase to ascertain whether a full investigation should be held. “Whether it is fast or slow is not as important as it being thorough and fair,” says Walsch.

The fact that 14 months have passed since Bradley's complaint without it being resolved is disheartening but not unusual. An examination of George Mason University's misconduct policies suggests that investigations should be resolved within a year of the initial complaint, including time for an appeal by the faculty member in question. According to the university's own timeline, the initial inquiry should have been complete within 12 weeks of the initial complaint — in May 2010. But there are loopholes galore for extensions, and, like many universities, George Mason seems content to drag its feet.

Long misconduct investigations do not serve anyone, except perhaps university public-relations departments that might hope everyone will have forgotten about a case by the time it wraps up. But in cases such as Wegman's, in which the work in question has been cited in policy debates, there is good reason for haste. Policy informed by rotten research is likely to have its own soft spots. Those who have been wronged deserve resolution of the matter. And one can hardly suppose that those who have been wrongfully accused enjoy living under a cloud for months.

So, what incentives do universities have to pick up the pace? Agencies such as the US Office of Research Integrity and ethics offices at funding bodies should take universities to task for slow investigations and demand adherence to the schedules listed in university policies. However, the agencies themselves haven't exactly been models of swift justice. The most recent annual report from the Office of Research Integrity — for 2008 — reported that the cases closed in that year spent a mean of 14.1 months at the agency. Perhaps it should fall to accreditation agencies to push for speedy investigations. Tom Benberg, vice-president of the Commission on Colleges of the Southern Association of Colleges and Schools — the agency that accredits George Mason University — says that his agency might investigate if the university repeatedly ignored its own policies on the timing of misconduct inquiries. To get the ball rolling, he says, someone would have to file a well-documented complaint. *(someone already had, [MAS2012c p.33], but with no effect)* Even if funding and accreditation agencies fail to apply pressure, universities should take the initiative to move investigations along as speedily as possible while allowing time for due process. Once an investigation is complete, the institution should be as transparent as it can about what happened. Especially when public funds are involved, or at public universities, the taxpayer has a right to know what happened when papers are retracted — even if the faculty member in question is eventually exonerated. This tidies the scientific record, clears the air and kicks the legs out from under any conspiracy theories. Over to you, George Mason University.

**E.2011.06.02 Science**

Eli Kintisch wrote in [KIN2011]:

**‘Journal Retracts Disputed Network Analysis Paper on Climate**

On 15 May, *USA Today* reported<sup>221</sup> that a controversial 2008 study in the journal *Computational Statistics and Data Analysis (CSDA)* was going to be retracted because parts of the article contain plagiarized material. Now, in an e-mail to *ScienceInsider*, the journal's editor in chief, Stan Azen of the University of Southern California in Los Angeles, has passed along the official retraction notice. It says the article "contains portions of other authors' writings ... without sufficient attribution" and that excerpts from Wikipedia and two textbooks appeared without citation in the paper's introduction. An official with Elsevier, which publishes *CSDA*, says the notice will be posted in a week or two.

The study, *Social networks of author-co-author relationships*, analyzed the different styles of such networks and their implications for peer review. It grew out of work done for a report to Congress by statistician Edward Wegman of George Mason University. The so-called Wegman report said that paleoclimate studies done in 1998 and 1999 used poor statistical analyses. It also asserted that the authors may have benefited from favorable treatment by their peers who presumably reviewed the papers.

The e-mail from Azen follows:

The following is the Elsevier retraction statement that will appear shortly.  
Retraction notice

This article has been retracted at the request of the Editor in Chief and co-Editors, as it contains portions of other authors' writings on the same topic in other publications, without sufficient attribution to these earlier works being given.

The principal authors of the paper acknowledged that text from background sources was mistakenly used in the Introduction without proper reference to the original source.

Specifically, the first page and a half of the article (pp. 2177-2178) contain together excerpts from Wikipedia (first paragraph), Wasserman and Faust's "Social Network Analysis: Methods and Applications" (pp. 17-20) ISBN 10: 0521387078 / 0-521-38707-8 ISBN 13: 9780521387071 Publication Date: 1994, and W. de Nooy, A. Mrvar, and V. Bategelj's "Exploratory Social Network Analysis with Pajek" (pp. 31, 36, 123, and 133) ISBN 10: 0521602629 / 0-521-60262- ISBN 13: 9780521602624 Publication Date:

2005.

The scientific community takes a strong view on this matter and apologies are offered to readers of the journal that this was not detected during the submission process. One of the conditions of submission of a paper for publication is that authors declare explicitly that their work is original and has not appeared in a publication elsewhere. The re-use of material, without appropriate reference, even if not known to the authors at the time of submission, breaches our publishing policies.

The Wegman report is also alleged to contain unattributed material from other sources. University of Massachusetts, Amherst, climate scientist Raymond Bradley filed an official complaint with George Mason University in March 2010 for what he regards as inappropriate use of material that first appeared in his 1999 book, *Paleoclimatology*. "There were several paragraphs in the Wegman report that were lifted verbatim or almost verbatim from my book," Bradley tells *ScienceInsider*. Bradley has complained to Elsevier, which was the publisher of the 1999 book, and company officials have proposed a meeting to discuss the issue, he says. "Elsevier has a financial interest in people not plagiarizing their books," says Bradley. "Otherwise, why do they have a copyright?"

Wegman declined to comment on the journal's action when contacted by *ScienceInsider* last week. But Wegman wrote an e-mail to Elsevier, obtained by *USA Today*, that says he would prefer issuing an "errata sheet" instead of having the paper withdrawn. And *USA Today* spoke to Wegman's attorney for its May story on the journal retraction:

"Neither Dr. Wegman nor [first author Yasmin Said] has ever engaged in plagiarism," says their attorney, Milton Johns, by e-mail. In a March 16 e-mail to the journal, Wegman blamed a student who "had basically copied and pasted" from others' work into the 2006 congressional report, and said the text was lifted without acknowledgment and used in the journal study. "We would never knowingly publish plagiarized material"<sup>222</sup> wrote Wegman, a former *CSDA* journal editor.

<sup>222</sup> Denise Reeves supplied ~5.5 pages for the WR, more than David Scott's ~3 pages, but not credited as an **author**. Some was re-used in the retracted *CSDA* paper, 2 PhD dissertations and a Wegman Federal grant proposal. She was never mentioned. **Copyrighted text from several books was used at least 5 known times with no attribution.**

<sup>221</sup> Link to VER2011.

E.2011.06.10 *Science*

Eli Kintisch wrote in [KIN2011a], with my annotations:

- 1 Retraction for plagiarism
- 2 Denise Reeves supplied ~5.5 pages for the WR, more than David Scott's ~3 pages, but not credited as author. Some was re-used in retracted *CSDA* paper, 2 PhD dissertations, 2 more papers and a grant proposal. She was never mentioned. **Copyrighted text was used 7 times with no attribution, §G.**
- 3 Lawyer Milton Johns on *CSDA* retraction: "never plagiarized"
- 4 Early plagiarism discoveries were by Deep Climate, others helped later.
- 5 It is alleged than Wegman led a politically-crafted effort to deceive Congress and damage climate scientists' reputations. When well-checked, nothing was well-done: scholarship, climate science, social network analysis, references, or even statistics. Alleged plagiarism was only the easiest issue to show to general public. Being caught might be a nightmare.

NEWSMAKER INTERVIEW: JOHN MASHEY

## Computer Scientist Goes on Offensive To Defend Climate Scientists

To climate scientists like Pennsylvania State University's Michael Mann, who has come under relentless attacks from climate change skeptics, John Mashey is "one of the good guys." The 65-year-old Mashey, who amassed a small fortune designing computer systems for the likes of Bell Labs and Silicon Graphics, is spending his retirement years compiling voluminous critiques of what he calls the "real conspiracy" to produce "climate antiscience." He is trying to turn the tables, using tactics some of Mann's opponents may find uncomfortably familiar.

Will Happer, a physicist at Princeton University who questions the consensus view on climate, thinks Mashey is a destructive force who uses "totalitarian tactics"—publishing damaging documents online, without peer review—to carry out personal vendettas. Whereas Mann lauds Mashey for "exploring the underbelly of climate denial," Happer says Mashey's

tactics are "contrary to open inquiry."

Both sides can agree on one thing, however: Mashey has become one of the most visible of a new generation of citizen climate warriors. This month he scored a prominent victory when the journal *Computational Statistics & Data Analysis (CSDA)* retracted a 2008 paper co-authored by economist and climate skeptic Edward Wegman. Mashey had attacked the article last September in a 250-page analysis released online and headlined "Strange Scholarship in the Wegman Report." Last week, the journal's editors issued a statement saying that the article contained "portions of other authors' writings on the same topic in other publications, without sufficient attribution to these earlier works being given." To Mann, "the retraction validates [Mashey's] efforts."

Mashey's critique also looked into a 2006 report to Congress by Wegman claiming that two paleoclimate studies by Mann and two

other authors used poor statistical analyses. Mashey blasted the science in the so-called Wegman report and alleged that many pages were copied from published sources without citation; no official action has been taken.

The *CSDA* paper grew out of a section of the Wegman report that asserted the authors' social connections had corrupted peer review of paleoclimate papers and that various independent studies "may not be as independent as they might appear." Wegman, a professor of statistics at George Mason University in Fairfax, Virginia, wrote in a March e-mail to the journal's publisher, Elsevier, which was investigating allegations of plagiarism, that he was "innocently unaware" that text on network theory and climate had been "copied and pasted" by a George Mason student into the Wegman report and later included in the *CSDA* paper. (*USA Today*, which first reported on the retraction, obtained the e-mail from *CSDA* and sent it for comment to Mashey, who published it.) Wegman and his lawyer declined several requests for comment from *Science*, but the latter told *USA Today* that neither Wegman nor the first author of the *CSDA* paper, an assistant professor at George Mason, "has ever engaged in plagiarism." 3

Mashey's career in computers only occasionally touched on climate issues, but his background has provided him with valuable skills for his new role. After earning a Ph.D. in computer science from Penn State in 1974, Mashey worked for several Silicon Valley companies designing systems for users that included intelligence agencies, oil companies, and climate scientists. He was drawn into the swirling climate debate in 2007 after hearing a lecture on climate skeptics by University of California, San Diego, science historian Naomi Oreskes at Stanford University, which is near his Portola Valley home.

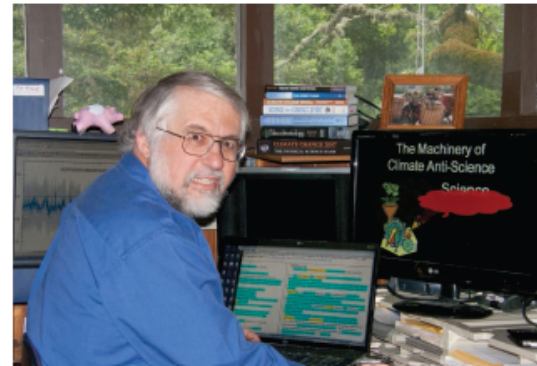
As he got to know Oreskes and allied climate scientists, Mashey became upset that they were being attacked by bloggers and lawmakers and subjected to anonymous threats. "Naomi's a friend, and she gets death threats. Mike Mann's a friend, and he gets death threats. It pisses me off," Mashey says. "They get harassed and discouraged for doing a good job for everybody's grandchildren." Defending their work from unfair attack is the least he can do, he reasons. "They seem heartened by the knowledge that somebody cares and is actually trying to take the offense."

Mashey decided to join the nascent community of nonscientist climate bloggers by preparing documents that dissected what the opponents were actually saying. (He maintains no blog but publishes documents through allied sites.) "Climate scientists do not have the skill set for investigating where weird stuff is coming from," Mashey says. He likens

*"Mike Mann's a friend, and he gets death threats. It pisses me off."*  
—JOHN MASHEY

his current activities to the corporate intelligence efforts he once undertook and to investigations of organized crime. "You see what they're doing, who they talk to. Then what you do is, you hope they make a mistake."

His home office includes a laptop equipped with three extra screens to help him compile his reports. "When I'm trying to find these hidden connections or



inconsistencies between testimonies and write them down, I likely have a big spreadsheet on one display, some Word document open to two places to compare, and several browser windows on several displays, as well as a bunch of PDFs open in [Adobe] Acrobat," he says.

His dense reports contain the fruits of his research and that of others, properly credited, as well as his opinions, in italics. An anonymous blogger dubbed Deep Climate first raised questions about the originality of material in Wegman's *CSDA* paper and his report to Congress, and Mashey included those examples and other questionable passages in his "Strange Scholarship" report, festooned with complex organizational charts and multicolored text. 4

Mashey drew Happer's ire with a 128-page report in 2009 critiquing a petition from Happer and other members of the American Physical Society urging the society to revise its call for cuts in greenhouse gas emissions and instead to question the existence of anthropogenic warming. It was a solo effort that analyzed the petitioners' political donations, their co-authorship on papers, and their connections to various nonprofits or companies. Mashey suggested that the petition was intended "to create and maintain doubt in the public" about the consensus on anthropogenic warming.

"For a long time, the amateurs in the online wars over climate science have been on the other side," Mann says. Those combatants include Steve McIntyre, a Canadian skeptic blogger and mining consultant. McIntyre's critique on the statistical analysis behind the so-called hockey stick (a graph by Mann showing that recent decades were warmer than any since 1400) was praised in the Wegman report and reported on the front page of *The Wall Street Journal*. Mashey, Mann says, is "the anti-Steve McIntyre."

While Mashey occasionally quotes experts attacking the central scientific arguments of his foes, he generally focuses on what he considers to be unacceptable professional behavior or connections to political or monied interests. As a result, his critics say, Mashey is more interested in destroying his foes than in debating the issues. Wegman told Elsevier in his e-mail that various investigations have made the year "a professional and personal nightmare." 5 Mashey says exposing poor scholarly practices is just as important as uncovering what he calls "bad science." The copied sections of the *CSDA* paper, he says, are "clear evidence of incompetence [that is] understandable to the public."

Mashey believes that vanquishing scientists' foes will serve a higher purpose. "It's up to some of the rest of us to help get these guys off your backs so you can do the science," he tells his scientist allies. He thinks discrediting their opponents also allows society to focus on the biggest problem: the need to reduce greenhouse gas emissions. "Goal number two is, try to help lessen the impact of climate antiscience on public policy before it commits the U.S. to be an increasingly bad place to live," he says. —ELI KINTISCH

**E.2011.09.28 *Statistical Modeling, Causal Inference, and Social Science***

Andrew (Gelman) wrote:<sup>223</sup>

**‘Wiley Wegman chutzpah update: Now you too can buy a selection of garbled Wikipedia articles, for a mere \$1400-\$2800 per year!’**

Someone passed on to a message from his university library announcing that the journal “Wiley Interdisciplinary Reviews: Computational Statistics” is no longer free.

Librarians have to decide what to do, so I thought I’d offer the following consumer guide:

	Wiley Computational Statistics journal	Wikipedia
Frequency	6 issues per year	Continuously updated
Includes articles from Wikipedia?	Yes	Yes
Cites the Wikipedia sources it uses?	No	Yes
Edited by recipient of ASA Founders Award?	Yes	No
Articles are subject to rigorous review?	No	Yes
Errors, when discovered, get fixed?	No	Yes
Number of vertices in n-dimensional hypercube?	2n	2 <sup>n</sup>
Easy access to Brady Bunch trivia?	No	Yes
Cost (North America)	\$1400-\$2800	\$0
Cost (UK)	£986-£1972	£0
Cost (Europe)	€1213-€2426	€0

The choice seems pretty clear to me!

It’s funny for the Wiley journal to start charging now for access. Unless they can convince Wikipedia to (a) charge at least \$1401/year and (b) introduce errors into their articles to level the playing field, I think Wegman’s journal is going to have difficulty competing in the free market.’

Besides **Andrew** (Gelman), known academic commenters included, at least Martin Vermeer (Finland), “Eli Rabett,” (US) Ted Kirkpatrick (Canada) and statisticians **Nick Cox** (UK) and **Ben Bolker** (Canada). Others may be academics as well, difficult to know. A brief sample of the 25 comments follows:

<sup>223</sup> [andrewgelman.com/2011/09/28/wiley-wegman-chutzpah-update](http://andrewgelman.com/2011/09/28/wiley-wegman-chutzpah-update)

‘John Mashey says: September 28, 2011 at 5:01 pm

Sometimes errors get fixed.

They did remove the Said mis-affiliation with Oklahoma State.

Sam says:

October 1, 2011 at 9:49 am

Yeah, John, but only after some intrepid person filed a FOI request about Said’s non-employment records, and **OK State complained to the publishers.**<sup>224</sup> That is to say that Said was never employed by Oklahoma State University in any capacity. **As in never. As in, she lied.**

...

Nick Cox says: September 29, 2011 at 3:43 am

This is droll. Someone should also point out that the majority of authors are doing good honest work with their papers here. The apples in the barrel are not all bad.

John Mashey says: September 29, 2011 at 11:24 am

Nick:

In April, I made a pass over all the articles, and **many are written by people who are obvious experts and many look like fine reviews. ... I would guess that 3/4 of the articles are quite likely fine. ...**

Andrew says: September 29, 2011 at 3:27 pm

Nick

Just as a start, I think it would be appropriate for Wegman to directly contact everyone he plagiarized from and apologize to them, and also apologize to the U.S. Congress for inserting erroneous and unsourced material into the report he wrote for them.

Nick Cox says: September 29, 2011 at 7:41 pm

I wasn’t thinking of Wegman, oddly enough. **I have nothing to add to what has been said very well indeed about Wegman and regard him as discredited, although it would be better than nothing if he did admit it and attempt to apologise and if his university would conclude their investigation.**

The dilemmas I was thinking of were those of **honest people still associated with that journal. For all I know, some of them are agitating for a change at the top, but being too discreet to talk about it in public.**<sup>225</sup>

<sup>224</sup> At some point, this might be relevant to check.

<sup>225</sup> Yes, it is always difficult to know what’s happening inside a large organization.

**E.2011.10.05 USA Today**

Dan Vergano wrote in [VER2011b]:

**‘More Wikipedia copying from climate critics’**

‘Prominent climate science critics copied from Wikipedia again in a 2009 review article, botching the text, again, suggests a new analysis.’ ...

‘Now, following work by Columbia University statistician Andrew Gelman finding more botched copying of Wikipedia in a separate 2009 WIRES CompStats review article by Wegman, Deep Climate has released an analysis finding 13 blocks of copied Wikipedia text in the review article. Other text appears lifted from another researcher's textbook and Wolfram MathWorld. (Wegman and Said are editors in chief of the journal in which the review article appears, incidentally.)’

**E.2011.10.07 Crooked Timber**

John Quiggin<sup>226</sup> wrote:<sup>227</sup>

**‘Wegman plagiarism case: GMU jury out to permanent lunch**

It’s been eighteen months since George Mason University began an investigation into allegations of plagiarism by Edward Wegman and his co-author Yasmin Said. Wegman and Said became famous for writing, at the invitation of anti-science Republican Joe Barton, an attempted takedown of the work of Mann and others on the “hockey stick” increase in global temperatures observed over the 20th century. Along with the statistical “analysis”, the report included a ludicrous foray into network analysis. Unfamiliar with the field, Wegman and his co-authors cribbed extensively from Wikipedia, something that has turned out to be common pattern in his work. They were silly enough to submit it for publication in a journal with a friendly editor, leading to a highly embarrassing retraction.

Now there’s yet another piece of Wikipedia cribbing, reported by Dan Vergano in USA Today, with more from Andrew Gelman and Deep Climate who, along with the redoubtable John Mashey, have done most of the hard work in this case

<sup>226</sup> [www.uq.edu.au/economics/quiggin-john](http://www.uq.edu.au/economics/quiggin-john)

Quiggin is an economist and Professor at University of Queensland, Australia.

<sup>227</sup> [crookedtimber.org/2011/10/07/wegman-plagiarism-case-gmu-jury-out-to-permanent-lunch](http://crookedtimber.org/2011/10/07/wegman-plagiarism-case-gmu-jury-out-to-permanent-lunch)

The contributors to this blog are generally academics from around the world.

Quiggin ran a similar article at his own blog, [johnquiggin.com](http://johnquiggin.com)

The big question is how long GMU can keep on getting away with doing nothing. They ignored a critical editorial in Nature in May, and it looks as though they will keep on doing nothing until some external agency forces them to move (or perhaps Wegman will decide to retire and render the case moot for them).

There’s a broader point. On the evidence here, Wegman has single-handedly made more ludicrous errors and committed more violations of academic ethics than the total of all the allegations made against the climate science profession (the vast majority of which have been proved false). His work has been demolished at all points. Yet this has barely moved the faith of his allies in the anti-science movement or the Republican party more generally.

At this point, any assumption of good faith on the part of climate “sceptics” is unwarranted. They either people who believe what they want to believe, regardless of evidence, or say things they don’t believe because it suits them politically. Either way, there is no point in reasoning with them or seeking compromise. Our only hope is to outvote them.’ *This got 36 comments.*

**E.2012.02.22 USA Today**

Dan Vergano wrote in [VER2012]:

**‘Univ. reprimands climate science critic for plagiarism’**

‘Faculty committees at George Mason University in Fairfax, Va., have split on plagiarism charges leveled against climate science critic Edward Wegman, a school official announced on Wednesday.’ ...

**E.2012.02.23 Chronicle of Higher Education**Paul Basken wrote:<sup>228</sup>**‘George Mason U. Professor Reprimanded Over Climate Paper’**

‘George Mason University has issued a reprimand to Edward J. Wegman, a professor of data sciences and applied statistics, after more than a year of investigation into accusations that Mr. Wegman included plagiarized material in a 2006 report that congressional Republicans used to challenge scientific findings about global warming. The reprimand followed the unanimous vote of a faculty committee that plagiarism occurred and that it was the result of “poor judgment” attributable to Mr. Wegman, *USA Today*<sup>229</sup> reported. A second faculty committee also reviewed the matter and concluded unanimously that Mr. Wegman’s report contained “extensive paraphrasing” but no misconduct, the newspaper said.<sup>230</sup>

This news item got 26 comments, including one by ScaredAmoeba, who actually was the first to note problems with [SAI2009] in a comment at *deepclimate.org*. Unfortunately, amidst an active conversation, it was missed, but it certainly exemplifies the community nature of finding and exposing plagiarism. Although one never knows with anonymous comments, some claimed to be academics and offered pithy comments.



antiutopia → antiutopia · 3 years ago

JohnMashey:

sheeeeeeeesh. Ok -- if that were a student paper, it'd be given an instant F. My only question then would be, "Will the student fess up or try to feed me a line of BS?"

I will say that on rare instances the student fessed up AND showed me how he made his mistake. I have ruled plagiarism but not misconduct in the past.

But we're talking students here.

^ | v · Reply · Share ›

<sup>228</sup> [chronicle.com/blogs/ticker/george-mason-u-professor-reprimanded-over-climate-paper/40798](http://chronicle.com/blogs/ticker/george-mason-u-professor-reprimanded-over-climate-paper/40798)

<sup>229</sup> Link to VER2012

<sup>230</sup> Provost Stearns said there were 2 separate investigation committees, which made no practical sense, but in any case, FOIA results contradicted him.



22199179 · 3 years ago

Any school I've ever worked in, if a student turned in work with that much plagiarism in it would have flunked the assignment and been sent to the Dean of Students or the Dean of Academic Affairs for disciplinary action which could include flunking the class or even being expelled from the school. And this guy gets reprimanded for "poor judgment"?????

Man, I studied the wrong topic and got a job at the wrong school!!!! I want a job a George Mason U...because apparently my science skills are no better than this guys and he got a job and it sounds like he is going to get to keep it!!!

(please note large amounts of sarcasim dripping from that second paragraph!)

At this point, people only had Provost Stearns' letter and articles about it. Later FOIAs exposed contradictions to his description and his strange claims that GMU used 2 separate pairs of committees [MAS2012c §1.3].

DC and I also commented. Among my comments, one started:



JohnMashey → antiutopia · 3 years ago

antiutopia:

Yes, that's like the way some students got "F"s from me for copying long computer programs.

When teaching Computer Science in the early 1970s, one course (PSU CMPSC 411) was well-known for heavy workload. I warned students that if I caught those copying programs, I would flunk them for the course. Every term a few tried, and I think I caught most, easier in those days.

The final project was a long program, and assignments suggested ideas and some names, but differed subtly from term to term. A program copied from an earlier term was instantly recognizable. Also, in that batch processing era, I got a report that listed every job by date and run-time. When a student turned in a thousand-line program run a few times just before deadline, after weeks of inactivity, it was rather noticeable.

Since many students spent hours, day and night at the main computer center, they could see who else worked hard. Those who earned their grades often quietly thanked me for flunking cheaters term after term. Many were first-family-member-in-college students, but they knew prospective employers formed opinions, and they did not want cheaters “poisoning the well.” I never forgot the lesson. Cheaters would be found out sooner or later, *but exposing them was actually most valuable to encourage honest students and keep their efforts valued.*

**E.2012.02.24 Retraction Watch****‘Climate science critic Wegman reprimanded by one university committee while another finds no misconduct’<sup>231</sup>**

with 13 comments

The author of a [controversial and now-retracted paper](#) questioning the science of climate change has been reprimanded by his university for plagiarism.

According to *USA Today’s* Dan Vergano, who [broke the news](#):

“[Edward] Wegman was the senior author of a 2006 report to Congress that criticized climate scientists as excessively collaborative, and found fault with a statistical technique used in two climate studies. Portions of the report analysis were published in the journal, *Computational Statistics & Data Analysis*, [in a 2008 study](#).”

University of Massachusetts professor Raymond Bradley filed a complaint against Wegman in 2010, noting that portions of the report and the CSDA study appeared lifted from one of his textbooks and from other sources, including Wikipedia. CSDA [later retracted the study](#), noting the plagiarism, last year.

Here’s the explicit [retraction notice](#):

“This article has been retracted at the request of the Editor-in-Chief and co-Editors, as it contain portions of other authors’ writings on the same topic in other publications, without sufficient attribution to these earlier works being given. The principal authors of the paper acknowledged that text from background sources was mistakenly used in the Introduction without proper reference to the original source. Specifically, the first page and a half of the article (pp. 2177–2178) contain together excerpts from Wikipedia (first paragraph), Wasserman and Faust’s “Social Network Analysis: Methods and Applications” (pp. 17–20) ISBN 10: 0-521-38707-8; ISBN 13: 978-0-521-38707-1. Publication Date: 1994, and W. de Nooy, A. Mrvar and V. Bategelj’s “Exploratory Social Network Analysis with Pajek”” (pp. 31, 36, 123, and 133) ISBN 10: 0-521-60262-9; ISBN 13: 978-0-521-60262-4. Publication Date: 2005.

The scientific community takes a strong view on this matter and apologies are offered to readers of the journal that this was not detected during the submission process.

One of the conditions of submission of a paper for publication is that authors declare explicitly that their work is original and has not appeared in a publication elsewhere. The re-use of material, without appropriate reference, even if not known to the authors at the time of submission, breaches our publishing policies.”

That constituted misconduct, according to one George Mason committee. From a letter signed by provost Peter Stearns:

“Concerning the *Computational Statistics* article, the relevant committee did find that plagiarism occurred in contextual sections of the article, as a result of poor judgment for which Professor Wegman, as team leader, must bear responsibility. This also was a unanimous finding. As sanction, Professor Wegman has been asked to apologize to the journal involved, while retracting the article; and I am placing an official letter of reprimand in his file. Finally, because of the nature of the offense and its impact on the University, I am issuing this public statement. I believe that given the details in the committee report, these sanctions are appropriate to the nature and level of misconduct involved.”

However, the work on the Congressional report did not constitute misconduct, according to Stearns’ letter:

“The committee investigating the congressional report has concluded that no scientific misconduct was involved. Extensive paraphrasing of another work did occur, in a background section, but the work was repeatedly referenced and the committee found that the paraphrasing did not constitute misconduct. This was a unanimous finding.”

You can [read more at USA Today](#), including comments from Bradley, who filed the complaint.

**Something else in Stearns’ letter caught our eye. He writes:**

“While University actions to this point have been confidential, as our policy properly stipulates, the case has received wide publicity from other sources, however inappropriately. The University has been publicly criticized for its failure to render judgment and even for not caring much about the charges. While our procedure is indeed prolonged, in part because of federal requirements and in part to assure due process, any implication of lack of concern is entirely misplaced.”

We are, of course, always pushing for universities to release the full results of their investigations, particularly when taxpayer dollars are involved, as they are here. So we’d urge George Mason to reconsider.

<sup>231</sup> [retractionwatch.com/2012/02/24/climate-science-critic-wegman-reprimanded-by-one-university-committee-while-another-finds-no-misconduct](http://retractionwatch.com/2012/02/24/climate-science-critic-wegman-reprimanded-by-one-university-committee-while-another-finds-no-misconduct)

It's worth looking at the actual rules that govern misconduct proceedings, however, something we've been meaning to do anyway. From our point of view, they're a bit ambiguous. Here's [that section](#):

Sec. 93.108 Confidentiality.

(a) Disclosure of the identity of respondents and complainants in research misconduct proceedings is limited, to the extent possible, to those who need to know, consistent with a thorough, competent, objective and fair research misconduct proceeding, and as allowed by law. Provided, however, that:

(1) The institution must disclose the identity of respondents and complainants to ORI pursuant to an ORI review of research misconduct proceedings under Sec. 93.403.

(2) Under Sec. 93.517(g), HHS administrative hearings must be open to the public.

(b) Except as may otherwise be prescribed by applicable law, confidentiality must be maintained for any records or evidence from which research subjects might be identified. Disclosure is limited to those who have a need to know to carry out a research misconduct proceeding

Institutions that receive federal funding are required to submit what is known as an "assurance agreement," which details how they will deal with misconduct allegations and investigations. When it comes to confidentiality, that agreement has to comply with the section above, at the very least. But how institutions define those who "need to know" is, by our read, left up to them. So if an institution doesn't want to disclose much, which seems to be the case at George Mason, they can craft an assurance agreement that prohibits them from releasing their reports, and then call it a "federal requirement."

Is that transparent? We'd welcome input from specialists in this area — it's something we'll be looking at more closely.

*Hat tips: William Connolley, John Mashey, whose annotations of Stearns' letter you can see [here](#)*

Given multiple articles in *USA Today*, *Nature*, *Science*, *Chronicle of Higher Education* and *Retraction Watch*, concerns about Wegman and Said were well known by February 2012, 6 months before their disappearance from the WIREs:CS masthead in June 2012.

*Of course, many other blogs discussed this.*

### E.2013.05 *American Scientist*

Andrew Gelman,<sup>232</sup> Thomas Basbøll<sup>233</sup> wrote in [GEL2013] about several cases, of which the Wegman-related sections are excerpted:

#### p.1 ‘To Throw Away Data: Plagiarism as a Statistical Crime

Whether data are numerical or narrative, removing them from their context represents an act of plagiarism

Andrew Gelman, Thomas Basbøll

*“The distortion of a text,” says Freud in Moses and Monotheism, “is not unlike a murder. The difficulty lies not in the execution of the deed but in doing away with the traces.” —James Wood*

Much has been written on the ethics of plagiarism. One aspect that has received less notice is plagiarism’s role in corrupting our ability to learn from data: We propose that plagiarism is a *statistical* crime. It involves the hiding of important information regarding the source and context of the copied work in its original form. Such information can dramatically alter the statistical inferences made about the work.

In statistics, throwing away data is a no-no. From a classical perspective, inferences are determined by the sampling process: point estimates, confidence intervals and hypothesis tests all require knowledge of (or assumptions about) the probability distribution of the observed data. In a Bayesian analysis, it is necessary to include in the model all variables that are relevant to the data-collection process. In either case, we are generally led to faulty inferences if we are given data from urn A and told they came from urn B.

A statistical perspective on plagiarism might seem relevant only to cases in which raw data are unceremoniously and secretly transferred from one urn to another. But statistical consequences also result from plagiarism of a very different kind of material: stories. To underestimate the importance of contextual information, even when it does not concern numbers, is dangerous.

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<sup>232</sup> Link to [www.americanscientist.org/authors/detail/andrew-gelman](http://www.americanscientist.org/authors/detail/andrew-gelman)  
[en.wikipedia.org/wiki/Andrew\\_Gelman](http://en.wikipedia.org/wiki/Andrew_Gelman) distinguished statistician  
 Bayesian data analysis, by A Gelman, JB Carlin, HS Stern, DB Rubin, according to *Google Scholar*, Cited 14778 times  
[scholar.google.com/scholar?hl=en&as\\_sdt=0,5&q=Andrew+Gelman+bayesian+data+analysis](http://scholar.google.com/scholar?hl=en&as_sdt=0,5&q=Andrew+Gelman+bayesian+data+analysis)

<sup>233</sup> [www.americanscientist.org/authors/detail/thomas-basboll](http://www.americanscientist.org/authors/detail/thomas-basboll)

Perhaps the most prominent statistician to have repeatedly published material written by others without attribution is Edward Wegman, formerly of the Office of Naval Research and currently a professor at George Mason University. The case is especially interesting because Wegman has a distinguished record of public service and scholarship (he received the Founders Award in 2002 from the American Statistical Association) and because one of the plagiarized documents was part of a report on climate change delivered to the U.S. Congress. The ethical dimensions of this copying seem clear enough: By taking others’ work without giving credit—even copying from Wikipedia at one point (see the [appendix](#) to this essay)—Wegman and his research team were implicitly claiming expertise on subjects in which they were not experts. Wegman continues to deny having plagiarized, even in the face of direct evidence that several of his publications (on topics ranging from network analysis to color vision)<sup>234</sup> include unattributed material previously published by others.

We shall avoid speculating about the motives for plagiarism here. Generally, however, the ethical dilemma seems to be analogous to the person who robs a store to feed his or her family, or the politician who lies to achieve a larger political goal. In all of these cases, the behavior in question is generally recognized to be unethical, so if the broader context in which the action takes place is deemed ethical, it can only be thus because the unethical action serves some larger, more important goal. In Wegman’s case, no such argument about a larger context has been made (perhaps because that would require admitting the ethical violation in the first place).

The Wegman case came to public notice after the Canadian blog *Deep Climate* found the first few pages of material in the report to be plagiarized from a book by Ray Bradley, one of the authors whose work was attacked in that document. The blog post stirred others to study this and other documents written by Wegman and his students, at which point additional incidents of copying without attribution turned up. In 2011, a related article by Wegman and a collaborator in the journal *Computational Science and Data Analysis* was formally retracted by the publisher on grounds of plagiarism.

Despite the human and political drama of the Wegman case, it may not appear immediately interesting from the standpoint of statistics. Perhaps counterintuitively, a purely qualitative example reveals why this appearance is wrong. ...’

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<sup>234</sup> WEG2011

**p.2** ‘...Similarly, if Wegman, a nonexpert in network analysis, plagiarizes a description of the field (and, as the blogger known as Deep Climate noted, in the process introduces a typo that wrecks one of the mathematical expressions), that casts doubt on any empirical studies he performs using network analysis. Ultimately, such analyses must be evaluated on their own terms—but without the nudge toward acceptance that might come from the knowledge that they were performed by an eminent statistician. ...’

The Supplemental Feature includes:<sup>235</sup>

‘The details of the cases discussed in “[To Throw Away Data](#)” are summarized here. These examples are not intended to represent all the evidence in these incidents, but to demonstrate the nature of the copying.

1a. From an old Wikipedia article on the simplex algorithm, revised on September 11, 2004:

In 1972, Klee and Minty gave an example of a linear programming problem in which the polytope  $P$  is a distortion of an  $n$ -dimensional cube. They showed that the simplex method as formulated by Danzig visits all  $2^n$  vertices before arriving at the optimal vertex. This shows that the worst-case complexity of the algorithm is exponential time.

[http://en.wikipedia.org/w/index.php?title=Simplex\\_algorithm&oldid=7352528](http://en.wikipedia.org/w/index.php?title=Simplex_algorithm&oldid=7352528)



1b. From “Roadmap for optimization,” by Yasmin H. Said and Edward J. Wegman, in *Wiley Interdisciplinary Reviews, Computational Statistics* (a journal for which Wegman and Said were two of the three executive editors), first published online July 13, 2009:

Klee and Minty<sup>3</sup> developed a linear programming problem in which the polytope  $P$  is a distortion of a  $d$ -dimensional cube. In this case, the simplex method visits all  $2d$  vertices before arriving at the optimal vertex. Thus the worst-case complexity for the simplex algorithm is exponential time.

Said, Y., and E. Wegman. 2009. Roadmap for optimization. *Wiley Interdisciplinary Reviews, Computational Statistics* 1:3–17.  
<http://onlinelibrary.wiley.com/doi/10.1002/wics.16/abstract>

In Wegman and Said’s (*sic*) text, the variable is different ( $d$  rather than  $n$ ), and the superscripting in  $2^n$  is lost.<sup>236</sup> ...’

<sup>236</sup> Gelman had discussed the specific SAI2009 issue of  $2^n$  becoming  $2d$ , for which the likeliest explanation is the effect of copying HTML (as from Wikipedia) into a Word document, and not noticing that superscript disappeared.  
[andrewgelman.com/2011/09/19/another-wegman-plagiarism-copying-without-attribution-and-further-discussion-of-why-scientists-cheat](http://andrewgelman.com/2011/09/19/another-wegman-plagiarism-copying-without-attribution-and-further-discussion-of-why-scientists-cheat)  
[andrewgelman.com/2011/09/28/wiley-wegman-chutzpah-update](http://andrewgelman.com/2011/09/28/wiley-wegman-chutzpah-update)  
[andrewgelman.com/2014/11/12/patchwriting-wegmanesque-abomination-maybe-theres-something-similar-helpful/](http://andrewgelman.com/2014/11/12/patchwriting-wegmanesque-abomination-maybe-theres-something-similar-helpful/)  
[andrewgelman.com/?s=wegman](http://andrewgelman.com/?s=wegman) many blog posts

<sup>235</sup> [www.americanscientist.org/issues/pub/appendix-plagiarism-in-papers-by-edward-wegman-and-karl-weick](http://www.americanscientist.org/issues/pub/appendix-plagiarism-in-papers-by-edward-wegman-and-karl-weick)

**F. Plagiarism, falsification and relevant authorities [MAS2013a]**

§F and §G are extracted from [MAS2013a, pp.38-39] on which the “FOIA Facts” series of blog posts were based. Notation is explained in: [MAS2013e] [www.desmogblog.com/foia-facts-3-more-plagiarism-get-grants-claim-credit](http://www.desmogblog.com/foia-facts-3-more-plagiarism-get-grants-claim-credit) [MAS2010a] [www.desmogblog.com/sites/beta.desmogblog.com/files/STRANGE.SCHOLARSHIP.V1.02.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/STRANGE.SCHOLARSHIP.V1.02.pdf) and its terminology applies. [DEE2010p] is [deepclimate.org/2010/09/15/wegman-report-update-part-2-gmu-dissertation-review](http://deepclimate.org/2010/09/15/wegman-report-update-part-2-gmu-dissertation-review)

This table is a consolidated checklist of plagiarism/falsification issues, separate from funds misuse. Most were reported to GMU years ago, which ignored or rejected everything except the already-retracted P179. The plagiarism/falsification problems in most were known, but they lacked

Ack’s. FOIAs exposed the claims on Federal grants, discoverable in a few minutes’ perusal of the reports that GMU transmitted to the agencies from Wegman and Said. A few were recently discovered, labeled “new.”

**Works involving Wegman and/or Said with plagiarism and/or falsification. Does not include the much larger set of works that are just grant-unfit.**

**Does not include other students’ PhD dissertations or work before 2005, see (§G).**

**S (s):** Said lead author (coauthor)

**W(w):** Wegman lead author (coauthor)

☆ Alleged plagiarism

★ Alleged falsification/misrepresentation

Problem: (W or S) shows which person, ①②③: funds mis-use against grants 0447, 0059 or 5876, ☆★ is problem

W① ☆★ Means: Wegman mis-use of 0447, plagiarism/falsification,for DoD IG

Authors	☆	★	Relevant Funding Authorities				Publisher	Reported to GMU	GMU Action	Reference,section in MAS2012c, or (section here)	
			DoD IG		DHHS IG	ORI				MAS2012c, "See No Evil, Speak Little Truth,..."	Description
			0447	0059	5876	5876				§ (§ )	
P401	S	☆			S③	S☆	Elsevier	2011	ignore	☆§3.4	Cited by Said in support of gaining grant
P402	S	☆			S③	S☆	Elsevier	2011	ignore	☆§4.4	Said dissertation, plagiarism Said plagiarism in chapter of Wegman-edited book
<b>Acknowledged grants or were claimed for credit</b>											
P169	W	☆						2011	ignore	☆§4.3	Article by Wegman & Solka, claimed for 0447, but fit
P179	Sw	☆	w① ☆	Sw② ☆	S③	S☆	Elsevier-Retracted	2010	misconduct	☆§2.3	Retracted by Elsevier for plagiarism; not peer-reviewed
P200	Sw	☆	w① ☆	Sw② ☆	S③	S☆	Springer-Verlag	2011	ignore	☆§4.6	Plagiarism reported to GMU, editors, publisher
P405	S	☆			S③	S☆	Washington Acad.Sci	New	-	☆(\$X)	Said paper on "Eras in the History of Statistics and Data Analysis"
T126	Ws	☆	★		W① ☆★	S③	US House of Rep.	2010	Reject/Ignore	☆§2,§3 ★	<b>Plagiarism/falsification reported to GMU [MAS2010a, MAS2011b]</b>
					s① ☆★ ??						Said may have also used 0447 funds, (§Q.4)
T135	Ws	★			W① ☆		-	New	-	★(\$K.6)	Of 35 pages' plagiarism documented, GMU accepted 0 False statement in abstract
<b>Plagiarism in grant proposal, also cited (retracted) P179</b>											
P409	W	☆					W ☆ (for DoD, not for 0447/0059)	-	New	-	☆(\$Z) Wegman proposal to Army, 02/16/09, rejected
<b>No known Federal funding</b>											
P197	Sw	☆					Wiley	2011	ignore	☆§4.8	WIRES:CS Article by editors Said and Wegman, plagiarism
P513	Ws	☆					Wiley	2011	ignore	☆§4.7	WIRES:CS article by Wegman & Said, plagiarism
P407	Ws	☆	★				Wiley	2010	ignore	☆★(\$H.7)	Phantom book, including WR (☆), false statements in blurb (★)
T424	W	★					-	New	-	★(\$K.6)	Falsification/misrepresentation in Wegman video at Chapman
<b>Totals</b>			11	4	7	2	6	6			



## P. Plagiarism examples, early reports to Wiley [MAS2012c]

§P is excerpted from [MAS2012c 08/20/12],<sup>237</sup> most of whose Table of Contents is copied below. The highlighted sections are copied into §P, so §1.4 there becomes §P.1.4 here. Single-letter codes [a-s] below are a subset of those in §G. The highlighted sections are but a small fraction of alleged plagiarism. All works include at least Wegman, Said or students. Word™ compatibility issues required a few minor edits, but the original cross-references were unchanged. Footnote numbering is dynamic. More problems [t-v] have surfaced since, in §F, §G, [MAS2013b].

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However, the highlighted sections changed very little, if at all.

<sup>237</sup>[www.desmogblog.com/sites/beta.desmogblog.com/files/see.no\\_evil\\_speak\\_little.truth\\_.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no_evil_speak_little.truth_.pdf) It was a major update of [MAS2012a] published 03/15/12: [www.desmogblog.com/sites/beta.desmogblog.com/files/see.no\\_evil\\_1.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no_evil_1.pdf).

### P.1.4 Plagiarism by copy, paste and trivial change

Shown below is a sample of DC's earliest side-by-side presentations, followed by July 2010's color updates, **in the style used throughout.**

**Documents with alleged plagiarism always appear at left, the antecedent(s) at right, with similar cyan/yellow highlighting.**

This kind of plagiarism claims no invention or new ideas, but uses near-verbatim text to present an illusion of expertise and credibility.

#### Deep Climate Original presentation, December 2009, Wegman Report ← Bradley(1999)

Wegman – para 1

A cross section of a temperate forest tree shows variation of lighter and darker bands that are usually continuous around the circumference of the tree. *These bands are the so-called tree rings and are due to seasonal effects.* Each tree ring is composed of large thin-walled cells called early wood and smaller more densely packed thick walled cells called late wood. The average width of a tree ring is

Bradley – 10.2

A cross section of most temperate forest trees will show an alternation of lighter and darker bands, each of which is usually continuous around the tree circumference. *These are seasonal growth increments produced by meristematic tissues in the tree's cambium.* When viewed in detail (Fig. 10.1) it is clear that they are made up of sequences of large, thin-walled cells (earlywood) and more densely packed, thick-walled cells (latewood). *Collectively, each couplet of*

#### Deep Climate July 2010 presentation of same text

A cross section of a temperate forest tree shows variation of lighter and darker bands that are usually continuous around the circumference of the tree.

These bands are the so-called tree rings and are due to seasonal effects. Each tree ring is composed of large thin-walled cells called early wood and smaller more densely packed thick walled cells called late wood.

A cross section of most temperate forest trees will show an alternation of lighter and darker bands, each of which is usually continuous around the tree circumference.

*These are seasonal growth increments produced by meristematic tissues in the tree's cambium. When viewed in detail (Fig. 10.1) it is clear that they are made up of sequences of large, thin-walled cells (earlywood) and more densely packed, thick-walled cells (latewood). Collectively, each couplet of earlywood and latewood comprises an annual growth increment, more commonly called a tree ring.*

DC's early versions are clear enough with careful reading, but this copy-paste- trivial-change process is made quickly visible by highlighting identical, mostly in-order words in cyan. Once readers accept the cyan's validity,<sup>238</sup> it can be ignored, making trivial changes obvious, yellow. The rest is paraphrasing (which DC often showed in *Italics*) or unidentifiable. Of the WR's 91 pages, 35 were eventually found to follow this style, also found in other efforts by Wegman and/or his students, totaling 80+ pages. In many cases, ~50% of the words were marked cyan, 20-30% yellow.

**Trivial changes do not happen by accident.** Making enough of them is a minimal-effort way to defeat simpler automated plagiarism checkers. The next sections offer side-by-sides to back the claims of §1.1. They use the same style, except one that highlights alleged likely falsifications red. Cases are gathered into 3 groups, organized by dates by which GMU is

known to have been formally notified:<sup>239</sup>

§2 Reported to GMU no later than May 2010.

Color versions appeared by July, were reported to GMU by October.

§3 Reported to GMU no later than October 2010

§4 Reported to GMU no later than June 2011

Wegman has consistently claimed there has been no plagiarism, and GMU mostly agreed. *Academics, especially, might read this and give opinions.*

<sup>238</sup> Later, comparisons were made easier by reformatting texts to align cyan words.

<sup>239</sup> Many were discussed earlier at *Deep Climate*, which a diligent committee might have monitored. Formal complaints were made by Bradley and other people.

## P.2 Reported by May 2010 to GMU by Ray Bradley

## P.2.1 WR tree rings, ice cores and corals [m.1]

WR tree rings, pp.13-14. This was DC's first discovery, 2009, later colorized.<sup>240</sup> Bradley identified this to GMU in March 2010.<sup>241</sup>

<p>Wegman – para 1</p> <p>A cross section of a temperate forest tree shows variation of lighter and darker bands that are usually continuous around the circumference of the tree.</p> <p>These bands are the so-called tree rings and are due to seasonal effects. Each tree ring is composed of large thin-walled cells called early wood and smaller more densely packed thick walled cells called late wood.</p> <p>The average width of a tree ring is a function of many variables including the tree species, tree age, stored carbohydrates in the tree, nutrients in the soil, and climatic factors including sunlight, precipitation, temperature, wind speed, humidity, and even carbon dioxide availability in the atmosphere. Obviously there are many confounding factors so the problem is to extract the temperature signal and to distinguish the temperature signal from the noise caused by the many confounding factors.</p> <p>Temperature information is usually derived from interannual variations in the ring width as well as interannual and intra-annual density variations.</p> <p>Density variations are valuable in paleoclimatic temperature reconstructions because they have a relatively simple growth function that, in mature trees, is approximately linear with age. The density variations have been shown empirically to contain a strong climatic temperature signal.</p> <p>[Key distinction between ring-width and density omitted.]</p>	<p>Bradley – 10.2</p> <p>A cross section of most temperate forest trees will show an alternation of lighter and darker bands, each of which is usually continuous around the tree circumference.</p> <p>These are seasonal growth increments produced by meristematic tissues in the tree's cambium. When viewed in detail (Fig. 10.1) it is clear that they are made up of sequences of large, thin-walled cells (earlywood) and more densely packed, thick-walled cells (latewood). Collectively, each couplet of earlywood and latewood comprises an annual growth increment, more commonly called a tree ring.</p> <p>The mean width of a ring in any one tree is a function of many variables, including the tree species, tree age, availability of stored food within the tree and of important nutrients in the soil, and a whole complex of climatic factors (sunshine, precipitation, temperature, wind speed, humidity, and their distribution throughout the year). The problem facing dendroclimatologists is to extract whatever climatic signal is available in the tree-ring data and to distinguish this signal from the background noise.</p> <p>Climatic information has most often been gleaned from interannual variations in ring width, but there has also been a great deal of work carried out on the use of density variations, both inter- and intra-annually. . . .</p> <p>It has also been shown empirically that density variations contain a strong climatic signal and can be used to estimate long-term climatic variations over wide areas (Schweingruber et al., 1979, 1992). . . . Density variations are particularly valuable in dendroclimatology because they have a relatively simple growth function (often close to linear with age). . . .</p> <p>Hence, standardization of density data may allow more low-frequency climatic information to be retained than is the case with standardized ring-width data (see Section 10.2.2).</p>
<p>Two values of density are measured within each growth ring: minimum density representing early wood and maximum density representing late wood.</p> <p>Maximum density values are strongly correlated with April to August mean temperatures in trees across the boreal forest from Alaska to Labrador. Schweingruber et al. (1993).</p> <p>Both tree ring width and density data are used in combination to extract the maximal climatic temperature signal.</p> <p>Wegman, para 2</p> <p>Climate signal is strongest in trees that are under stress. Trees growing in sites where climate does not limit growth tend to produce rings that are uniform. Trees that are growing close to their extreme ecological range are greatly influenced by climate. Climate variations strongly influence annual growth increments.</p> <p>Two types of stress are commonly recognized: moisture stress and temperature stress. Trees growing in semiarid regions are limited by water availability and thus variations in ring width reflect this climatic moisture signal. Trees growing near to their ecological limits either in terms of latitude or altitude show growth limitations imposed by temperature and thus ring width variations in such trees contain a relatively strong temperature signal.</p> <p>However, the biological processes are extremely complex so that very different combinations of climatic conditions may cause similar ring width increments.</p>	<p>Generally, two values are measured in each growth ring: minimum density and maximum density (representing locations within the earlywood and latewood layers, respectively), although maximum density values seem to be a better climatic indicator than minimum density.</p> <p>For example, Schweingruber et al. (1993) showed that maximum density values were strongly correlated with April-August mean temperature in trees across the entire boreal forest from Alaska to Labrador, whereas minimum and mean density values and ring widths had a much less consistent relationship with summer temperature at the sites sampled (D'Arrigo et al., 1992). . . .</p> <p>However, optimum climatic reconstructions may be achieved by using both ring widths and densitometric data to maximize the climatic signal in each sample (Briffa et al., 1995).</p> <p>Bradley – 10.2.1 Sample Selection</p> <p>In conventional dendroclimatological studies, where ring-width variations are the source of climatic information, trees are sampled in sites where they are under stress; commonly, this involves selection of trees that are growing close to their extreme ecological range. In such situations, climate variations will greatly influence annual growth increments and the trees are said to be sensitive. In more beneficent situations, perhaps nearer the middle of a species range, or in a site where the tree has access to abundant groundwater, tree growth may not be noticeably influenced by climate, and this will be reflected in the low interannual variability of ring widths (Fig. 10.3) . . .</p> <p>In marginal environments, two types of climatic stress are commonly recognized: moisture stress and temperature stress. Trees growing in semiarid areas are frequently limited by the availability of water, and ring width variations usually reflect this variable. Trees growing near to the latitudinal or altitudinal treeline are mainly under growth limitations imposed by temperature and hence ring-width variations in such trees contain a strong temperature signal.</p> <p>However, other climatic factors may be indirectly involved. Biological processes within the tree are extremely complex (Fig. 10.4) and similar growth increments may result from quite different combinations of climatic conditions.</p>

DC's first few posts are noted here,<sup>242</sup> as examples of breakthrough detective work. Although many people had examined the WR, nobody else had noticed these issues, but his discoveries stirred others to look.

<p>Photosynthetic processes are accelerated with the increased availability of carbon dioxide in the atmosphere and, hence, it is conjectured that ring growth would also be correlated with atmospheric carbon dioxide; see Graybill and Iaso (1993). In addition, oxides of nitrogen are formed in internal combustion engines that can be deposited as nitrates also contributing to fertilization of plant materials. It is clear that while there are temperature signals in the tree rings, the temperature signals are confounded with many other factors including fertilization effects due to use of fossil fuels.</p> <p>Wegman – para. 3</p> <p>Wider rings are frequently produced during the early life of a tree. Thus the tree rings frequently contain a low frequency signal that is unrelated to climate or, at least, confounded with climatic effects such as temperature. In order to use tree rings as a temperature signal successfully, this low frequency component must be removed. This is typically done by a nonlinear parametric trend fit using a polynomial or modified exponential curve.</p> <p>Because the early history of tree rings confounds climatic signal with low frequency specimen specific signal, tree rings are not usually effective for accurately determining low frequency, longer-term effects.</p> <p>[Note: Wegman et al fail to mention the distinction between individual standardization and "mean growth" approaches such as RCS. The latter are explicitly designed to preserve the low-frequency climatic signal.]</p>	<p>Bradley 10.2.3</p> <p>It is common for time series of ring widths to contain a low frequency component resulting entirely from the tree growth itself, with wider rings generally produced during the early life of the tree. In order that ring-width variations from different cores can be compared, it is first necessary to remove the growth function peculiar to that particular tree. Only then can a master chronology be constructed from multiple cores. Growth functions are removed by fitting a curve to the data and dividing each measured ring-width value by the "expected" value on the growth curve (Fig. 10.9). Commonly, a negative exponential function, or a lowpass digital filter is applied to the data. . . .</p> <p>... The resulting "regional curve" provided a target for deriving a mean growth function, which could be applied to all of the individual core segments regardless of length (Fig. 10.13). Averaging together the core segments, standardized in this way by the regional curve, produced the record shown in Fig. 10.12b. This has far more low frequency information than the record produced from individually standardized cores (Fig. 10.12-) and retains many of the characteristics seen in the original data (Fig. 10.12a).</p>
<p>Wegman – para 3 – cont.</p> <p>Once there is reasonable confidence that the tree ring signal reflects a temperature signal, and then a calibration is performed using the derived tree ring data and instrumented temperature data. The assumption in this inference is that when tree ring structure observed during the instrumented period that is similar to tree ring structure observed in the past, both will have correspondingly similar temperature profiles. As pointed out earlier, many different sets of climatic conditions can and do yield similar tree ring profiles. Thus tree ring proxy data alone is not sufficient to determine past climate variables. See Bradley (1999) for a discussion of the fitting and calibration process for dendritic-based temperature reconstruction.</p>	<p>Bradley 10.2.4</p> <p>Once a master chronology of standardized ring-width indices has been obtained, the next step is to develop a model relating variations in these indices to variations in climatic data. This process is known as calibration, whereby a statistical procedure is used to find the optimum solution for converting growth measurements into climatic estimates. If an equation can be developed that accurately describes instrumentally observed climatic variability in terms of tree growth over the same interval, then paleoclimatic reconstructions can be made using only the tree-ring data. In this section, a brief summary of the methods used in tree-ring calibration is given.</p>

The tree-ring text had one limiting reference to Bradley, no quote marks. Non-experts might study the text and be impressed by the WR's seeming mastery. Experts tend to glance only quickly at introductory material, so apparently no one (not even Bradley!) noticed the numerous problems, which went beyond plagiarism into misrepresentation / falsification.<sup>243</sup>

<sup>242</sup> [deepclimate.org/2009/12/17/wegman-report-revisited](http://deepclimate.org/2009/12/17/wegman-report-revisited)

[deepclimate.org/2009/12/22/wegman-and-rapp-on-tree-rings-a-divergence-problem-part-1](http://deepclimate.org/2009/12/22/wegman-and-rapp-on-tree-rings-a-divergence-problem-part-1)

<sup>243</sup> MAS2011b illustrates alleged falsification issues, introduced here in §4.1.

<sup>240</sup> [deepclimate.files.wordpress.com/2010/07/wegman-bradley-tree-rings-v20.pdf](http://deepclimate.files.wordpress.com/2010/07/wegman-bradley-tree-rings-v20.pdf)

<sup>241</sup> MAS2011 p.24. Highlighting here, as elsewhere: cyan for identical, yellow for trivial changes. Cyan is a clear problem, yellow is troublesome. White is unknown.

WR ice cores and corals, pp.14-15. DC found these in early 2010.<sup>244</sup>

<p>Wegman – 2.1 Ice cores - para 1</p> <p>The accumulated past snowfall in the polar caps and ice sheets provide a very useful record for paleoclimate reconstruction.</p> <p>We shall refer to ice cores in this section even though strictly speaking there is a combination of snow and ice.</p> <p>Somewhat compressed old snow is called a firm.</p> <p>The transition from snow to firm to ice occurs as the weight of overlying material causes the snow crystals to compress, deform and recrystallize in more compact form. As firm is buried beneath subsequent snowfalls, density is increased as air spaces are compressed due to mechanical packing as well as plastic deformation. Interconnected air passages may then be sealed and appear as individual air bubbles. At this point the firm becomes ice.</p> <p>Paleoclimatic information derived from ice cores is obtained from four principal mechanisms: 1) analysis of stable isotopes of water and atmospheric oxygen; 2) analysis of other gases in the air bubbles in the ice; 3) analysis of dissolved and particulate matter in the firm and ice; and 4) analysis of other physical properties such as thickness of the firm and ice.</p>	<p>Bradley – 5.1 – p. 125</p> <p>The accumulation of past snowfall in the polar ice caps and ice sheets of the world provides an extraordinarily valuable record of paleoclimatic and paleo-environmental conditions.</p> <p>These conditions are studied by detailed physical and chemical analyses of ice and firm (snow that has survived the summer ablation season) in cores recovered from very high elevations on the ice surface.</p> <p>Footnote 10 :</p> <p>The metamorphism of snow crystals into firm and eventually ice occurs as the weight of overlying material causes crystals to settle, deform, and recrystallize, leading to an overall increase in unit density. When firm is buried beneath subsequent snow accumulations, density increases as air spaces between the crystals are reduced by mechanical packing and plastic deformation until ... interconnected air passages between grains are sealed off into individual air bubbles (Herron and Langway, 1980). At this point, the resulting material is considered to be ice ...</p> <p>thus "ice cores" sensu stricto are actually firm cores near the surface (see Table 2.2 in Paterson, 1994). This distinction is not very important except in the reconstruction of past atmospheric composition (see Section 5.4.3) ... and the term ice core will henceforth be used to refer to both ice and firm core sections.</p> <p>Bradley – 5.1 – p. 126</p> <p>Paleoclimatic information has been obtained from ice cores by four main approaches. These involve the analysis of (a) stable isotopes of water and of atmospheric O<sub>2</sub>; (b) other gases from air bubbles in the ice; (c) dissolved and particulate matter in the firm and ice; and (d) the physical properties such as thickness of the firm and ice.</p>
<p>Wegman – 2.1 Ice cores - para 2</p> <p>The mechanism by which stable isotopes of oxygen and hydrogen carry a temperature signal is as follows.</p> <p>An oxygen atom can exist in three stable forms with atomic weights of 16, 17, or 18. Oxygen with an atomic weight of 16 makes up 99.76% of all oxygen atoms.</p> <p>Similarly, hydrogen can exist in two stable forms with atomic weights of one or two, the latter being called deuterium. Hydrogen with atomic weight of one comprises 99.984% of all hydrogen. Thus water molecules can exist in several heavy forms when compared with normal water, which is made up of two atomic-weight-1 hydrogen atoms and one atomic-weight-16 oxygen atom.</p> <p>The vapor pressure of normal water is higher than the heavier forms of water with evaporation resulting in a vapor that is relatively speaking poor in the heavier forms of water. Conversely, the remaining water will be enriched in water containing the heavier isotopes.</p> <p>When condensation occurs, the lower vapor pressure of water containing the heavier isotopes will cause that water to condense more rapidly than normal water.</p> <p>The greater the fall in temperature, the more condensation will occur; hence, the water vapor will exhibit less heavy isotope concentration when compared to the original (sea) water. Thus the relative isotope concentrations in the condensate will be a direct indicator of the temperature at which condensation occurred.</p>	<p>Bradley – 5.2 p. 129-30</p> <p>In common with most other naturally occurring elements, the constituents of water, oxygen, and hydrogen, may exist in the form of different isotopes. Thus, oxygen atoms (which always have 8 protons) may have 8, 9, or 10 neutrons, resulting in three isotopes with atomic mass numbers of 16, 17, and 18, respectively (16O, 17O and 18O). In nature these three stable isotopes occur in relative proportions of 99.76% (16O), 0.04% (17O), and 0.2% (18O).</p> <p>Hydrogen has two stable isotopes (1H and 2H (deuterium)) with relative proportions of 99.984% and 0.016%, respectively. Consequently, water molecules may exist as any one of nine possible isotopic combinations with mass numbers ranging from 18 (1H:16O) to 22 (2H:16O) ...</p> <p>The basis for paleoclimatic interpretations of variations in the stable isotope content of water molecules.</p> <p>is that the vapor pressure of H<sub>2</sub>16O is higher than that of HD16O and H<sub>2</sub>18O (10% higher than HD<sub>2</sub>16O, 1% higher than H<sub>2</sub>18O). Evaporation from a water body thus results in a vapor that is poorer in deuterium and 18O than the initial water; conversely, the remaining water is (relatively speaking) enriched in deuterium and 18O ...</p> <p>When condensation occurs, the lower vapor pressure of HD<sub>2</sub>O and H<sub>2</sub>18O results in these two compounds passing from the vapor to the liquid state more readily than water made up of lighter isotopes. ...</p> <p>The greater the fall in temperature, the more condensation will occur and the lower will be the heavy isotope concentration, relative to the original water source (Fig. 5.4). Isotopic concentration in the condensate can thus be considered as a primary function of the temperature at which condensation occurs ...</p>

<p>Wegman, 2.1 - Corals</p> <p>The term "coral" refers to the biological order Scleractinia, which have hard calcium-based skeletons supporting softer tissues.</p> <p>An important subgroup for paleoclimate studies is the reef-building corals in which the coral polyp lives symbiotically with single-celled algae. These algae produce carbohydrates by means of photosynthesis and are affected by water depth, water turbidity, and cloudiness. Much of the carbohydrates diffuse away from the algae providing food to the coral polyp, which in turn provide a protective environment for the algae.</p> <p>Reef-building corals are strongly affected by temperature and, as temperature drops, the rate of calcification drops with lower temperature potentially presaging the death of the colony.</p> <p>Coral growth rates vary over a year and can be sectioned and x-rayed to reveal high- and low-density bands. High density layers are produced during times of higher sea surface temperatures.</p> <p>Thus not unlike tree rings, data on corals also can be calibrated to estimate (sea) surface temperatures.</p>	<p>Bradley - 6.8 – Coral</p> <p>The term "coral" is generally applied to members of the order Scleractinia, which have hard calcareous skeletons supporting softer tissues (Wood, 1983; Veron, 1992).</p> <p>For paleoclimatic studies, the important subgroup is the reef-building, massive corals in which the coral polyp lives symbiotically with unicellular algae ... The algae produce carbohydrates by photosynthesis and thus are affected by water depth (most growing between 0-20 m) as well as water turbidity and cloudiness. Much of the organic carbon fixed by the algae diffuses from the algal cells, providing food for the coral polyps, which in turn provide a protective environment for the algae.</p> <p>Reef-building corals are limited mainly by temperature ... When temperatures fall to 8°C, the rate of calcification (skeletal growth) is significantly reduced and lower temperatures may lead to death of the colony.</p> <p>Coral growth rates vary over the course of a year, when sectioned and x-rayed, an alteration of high- and low density bands can be seen (Fig. 6.39). High density layers are produced during times of highest SSTs (Fairbanks and Dodge, 1979; Lough and Barnes, 1990) providing a chronological framework for subsequent analyses.</p>
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Bradley had been properly cited for several tables earlier in the WR,<sup>245</sup> but few would guess that the tree-ring, ice-core and coral material was mostly his. His **only** mention in 2.5p, with no quote marks anywhere, was a limiting pointer to a more detailed topic, even described erroneously:

“See Bradley (1999) for a discussion of the fitting and calibration process for **dendritic**-based temperature reconstruction.”<sup>246</sup>

### GMU verdict on Bradley text: not plagiarism, just paraphrasing

“The committee investigating the congressional report has concluded that no scientific misconduct was involved. **Extensive paraphrasing of another work did occur, in a background section, but the work was repeatedly referenced** and the committee found that the paraphrasing did not constitute misconduct. This was a unanimous finding.” -[STE2012]

*“Copy-paste- trivial-change, inject-errors and then sprinkle a few citations” was acceptable to the committee and administration. If this is representative of GMU policy, plagiarism must be pervasive.*

<sup>245</sup> The WR’s tables introduced errors, some *ludicrous*.

See [MAS2010a, §W.2.1] about “ions, speleothems and **phonology**.”

*While researchers might like 1000-year old sound recordings, none are available.*

<sup>246</sup> *Dendritic* means “branching like a tree,” and also describes drainage systems.

The correct phrase is “dendrochronological temperature reconstruction.”

Quite often, copied text was correct, but departures introduced silly errors.

The WR even misspelled a key word (“Quaternary”) of Bradley’s book title.

<sup>244</sup> [deepclimate.org/2010/01/06/wegman-and-rapp-on-proxies-a-divergence-problem-part-2](http://deepclimate.org/2010/01/06/wegman-and-rapp-on-proxies-a-divergence-problem-part-2)  
[deepclimate.files.wordpress.com/2010/10/wegman-bradley-ice-cores-corals-v3.pdf](http://deepclimate.files.wordpress.com/2010/10/wegman-bradley-ice-cores-corals-v3.pdf)

P.2.2 WR Social networks analysis [m.2] \*

WR pp.17-22. DC found these April 2010.<sup>247</sup> Bradley forwarded them to GMU in May.<sup>248</sup> The red circle shows a mis-edit from “movement between places and statuses” to the silly “movement between places and statues.” This error persisted in 2 PhD dissertations, Sharabati [o] and Rezadad [p].

<p>Wegman et al., Section 2.3, p. 17, paragraph 1</p> <p>A network graph illustrates how the nodes are connected.</p> <p>Social network analysis (SNA) (also known as social network theory) is a branch of sociology, anthropology, and psychology that studies the relationships between individuals in a social network. It is a method of analyzing the structure and dynamics of social networks, which are groups of individuals who are interconnected by social relationships. SNA is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>	<p>Wikipedia article - Social Networks (January 2, 2008 version)</p> <p>Social network analysis (SNA) is a branch of sociology, anthropology, and psychology that studies the relationships between individuals in a social network. It is a method of analyzing the structure and dynamics of social networks, which are groups of individuals who are interconnected by social relationships. SNA is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>	<p>Wegman et al., Section 2.3, p. 17, paragraph 2</p> <p>The structure of a social network is often analyzed in terms of its nodes and edges. Nodes represent individuals, and edges represent the relationships between them. The structure of a network can be analyzed in terms of its overall shape, its density, and its connectivity. For example, a network with many nodes and few edges is called a sparse network, while a network with many nodes and many edges is called a dense network. The structure of a network can also be analyzed in terms of its central nodes, which are nodes that are highly connected to other nodes in the network.</p>	<p>[no abstract found]</p> <p>Explainer: Social Network Analysis with Popik, from: Structural Analysis in the Social Sciences (pp. 27-78), by: Victor de Nee, Audrey Meyer and Vladimir Batagelj (Cambridge University Press, 2005)</p>
<p>Wegman et al., p. 18-19, para. 3 (definition)</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>	<p>Stanley Wasserman and Katherine Faust, Social Network Analysis: Methods and Applications. New York, Cambridge University Press, 1994, Section 1.3 - Fundamental Concepts in network analysis, p. 17-20</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>	<p>Wegman et al., p. 18, Definition cont.</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>	<p>Wasserman &amp; Faust (cont.)</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>
<p>Wegman et al., p. 19 continued</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>	<p>Wasserman &amp; Faust (cont.), Section 1.4, p. 21</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>	<p>Wegman et al., p. 20</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>	<p>De Nee, Meyer and Batagelj</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>

<p>Wegman et al., p. 21 cont.</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>	<p>Section 4.1, p. 133</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>
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<p>Wegman et al., p. 22 cont.</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>	<p>Section 4.5, p. 133 cont.</p> <p>Social network analysis is concerned with understanding the structure and dynamics of social networks. It is a method of analyzing the relationships between individuals in a social network, and how these relationships influence individual behavior and group dynamics. Social network analysis is used to study a wide range of social networks, from small groups to large organizations, and to understand how these networks influence individual behavior and group dynamics.</p>
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GMU verdict on WR social networks text above: never mentioned. [STE2012] never mentioned the 5.5p section of the WR shown here, but only stated the unanimous decision of no plagiarism and no academic misconduct in the Congressional report, §6.1. Since the CSDA article was plagiarism,<sup>249</sup> this finding was an absurd contradiction, as DC explained.<sup>250</sup>

In addition, the explanation given by Wegman was odd: ‘we thought it would be useful to provide some boilerplate background<sup>251</sup> on social networks for the Congressmen and their staffers. ... When Denise (Reeves) returned from her short course at Carnegie-Mellon, I took her to be the most knowledgeable among us on social network analysis, and I asked her to write up a short description we could include in our summary. She provided that within a few days, which I of course took to be her original work.’ [MAS2011a, pp.6-8]

If it was her original work (5.5p of 91p), why was she not a coauthor? Who did the trivial edits and why? Why were parts then included without credit in CSDA and dissertations? She had met with a GMU misconduct committee and said “her academic integrity is not being questioned.” [VER2011a] GMU knew all this in May 2011. GMU policy says: ‘The misconduct be committed intentionally, knowingly, or recklessly,’ Lead authors are usually thought responsible to avoid recklessness. Why was one of two key WR thrusts based on a grad student’s short course?

<sup>247</sup> [deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship](http://deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship)  
[deepclimate.files.wordpress.com/2010/07/wegman-social-networks-v-2.pdf](http://deepclimate.files.wordpress.com/2010/07/wegman-social-networks-v-2.pdf)  
<sup>248</sup> MAS2011 p.30

<sup>249</sup> This seems inescapable, since Elsevier had already demanded retraction.  
<sup>250</sup> “GMU contradictory decisions on Wegman: Plagiarism in CSDA, but not in 2006 congressional report.” [deepclimate.org/2012/02/22/gmu-contradictory-decisions-on-wegman-plagiarism-in-csda-but-not-in-congressional-report](http://deepclimate.org/2012/02/22/gmu-contradictory-decisions-on-wegman-plagiarism-in-csda-but-not-in-congressional-report)  
<sup>251</sup> Readers might examine the actual text and assess whether it is a) appropriate background for Congress or b) an attempt to fake expertise.

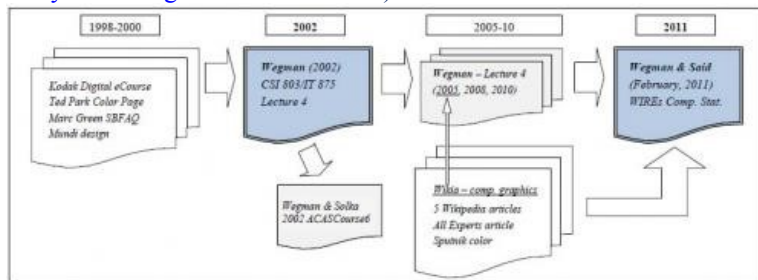


### P.4.7 WIREs:CS Wegman and Said (2011) [d, e, f, g, h, i]

DC found<sup>256</sup> that a Wegman lecture on color [d, 2002] was derived from various antecedents, poorly referenced, used by him and Jeff Solka in a course for the Army [e, 2002]. The lecture evolved [f, 2005] → [g, 2008] → [h, 2010]. Then in 2011, this was converted to an article in Wiley's *WIREs: Computational Statistics* (WIREs:CS), a "peer-reviewed" journal edited by Wegman, Said and David Scott.<sup>257</sup>

This plagiarism was far more complex than the others. DC explained:<sup>258</sup>

'A recent article by Wegman and Said in WIREs Computational Statistics opens up a whole new avenue of inquiry – and reveals a remarkable pattern of "flow through" cut-and-paste that goes even beyond Said et al 2008. *Colour Design and Theory* (published online in February) is based largely on a 2002 course lecture by Wegman. However, this is no case of simple recycling of material, for most of the earlier lecture material came from obscure websites on colour theory and was simply copied verbatim without attribution. Now much of it has shown up, virtually unchanged, nine years later. And the old material has been augmented with figures and text from several more decidedly non-scholarly sources, including – wait for it – five different Wikipedia articles. This tangled web is probably best approached with a flow diagram showing the relationship of the two works in question, along with the main unattributed antecedents (taken from the introduction to my detailed analysis of Wegman and Said 2011).<sup>259</sup>



<sup>256</sup> [deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour](http://deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour)

<sup>257</sup> The WR authorship was Wegman, Scott and Said, although Scott is believed to have only written a few pages. He has remained silent about WR issues.

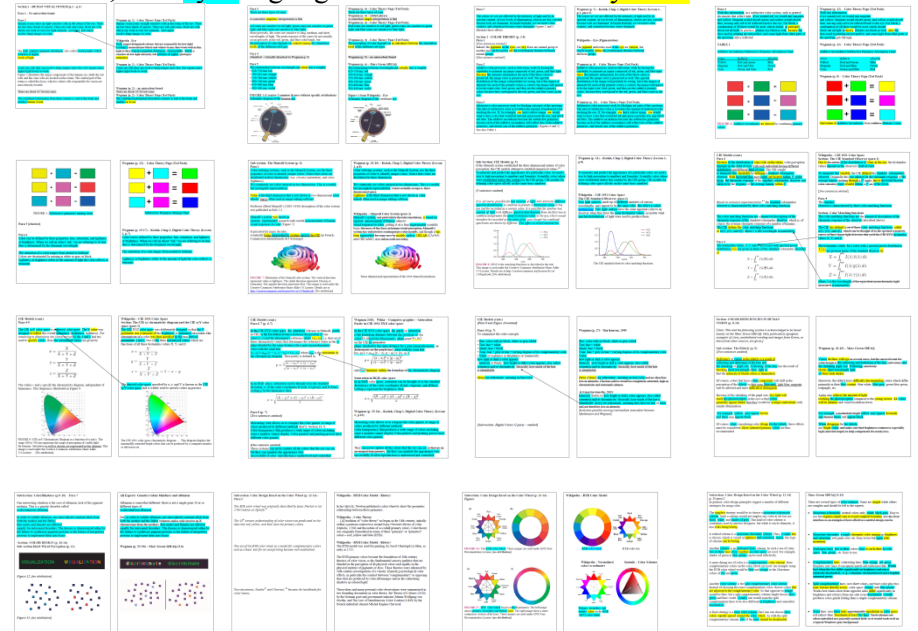
<sup>258</sup> [deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour](http://deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour)

<sup>259</sup> [deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf](http://deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf)

As seen in the above figure, the unattributed antecedents of Wegman and Said 2011 fall into two distinct groups:

1. **More than 90% pages of content in Wegman 2002 contain content identical to six online sources available at that time**, including a Kodak tutorial on digital colour and a web page on color theory by Ted Park. In turn, much of this material found its way into Wegman and Said 2011, again unattributed for the most part.
2. **Additional unattributed material in Wegman and Said 2011, both text and figures, can be traced to five different Wikipedia articles**, as well as other non-academic online sources, such as All Experts and Wiki Graphics. '

Read DC's detailed analysis for the real thing, but this is the general idea, as usual, with cyan highlight for identical text and yellow for trivial edits:



DC's further discussion<sup>260</sup> enumerated various additional problems and hinted at other issues with WIREs:CS that had been discovered by then. On 06/06/11, this was reported to GMU.

**GMU verdict on Wegman and Said (2011) plagiarism: never mentioned.**

<sup>260</sup> [deepclimate.org/2011/05/15/wegman-and-said-2011-part-2](http://deepclimate.org/2011/05/15/wegman-and-said-2011-part-2)

### P.4.8 WIREs:CS Said and Wegman (2009) [r]

Although published earlier, this<sup>261</sup> was found later, in April 2011 and reported to Wiley then (as per next section), but not until October 4 did DC produce a complete public analysis.<sup>262</sup> DC summarized:

‘As the title implies, the article was meant to provide a broad overview of mathematical optimization and set the stage for subsequent articles detailing various optimization techniques. However my analysis, entitled *Suboptimal Scholarship: Antecedents of Said and Wegman 2009*,<sup>263</sup> demonstrates the highly problematic scholarship of the “Roadmap” article.

- No fewer than 15 likely online antecedent sources, all unattributed, have been identified, including 13 articles from Wikipedia and two others from Prof. Tom Ferguson and Wolfram MathWorld.
- Numerous errors have been identified, apparently arising from mistranscription, faulty rewording, or omission of key information.
- The scanty list of references appears to have been “carried along” from the unattributed antecedents; thus, these references may well constitute false citations.’

People expect review articles to be written by those who have at least demonstrated mastery of a field. Here, two Editors-in-Chief stitched together Wikipedia pages to create an error-plagued article,<sup>264</sup> whose “peer review” if any must surely have been managed by the remaining E-i-C. DC’s 34p analysis explains many errors and problems beyond the pages at right.<sup>265</sup> Cyan highlights identical text, yellow trivial edits.

This issue was on the chart sent to GMU 06/06/11 and had they asked, early analyses were available. Dan Vergano inquired later about this.<sup>266</sup>

<sup>261</sup> Yasmin H. Said and Edward J. Wegman, “Roadmap for Optimization”, *Wiley Interdisciplinary Reviews: Computational Statistics [WIREs Comp Stat]*, Volume 1, Issue 1, pages 3-11, July/August 2009. Online July 13, 2009.

<sup>262</sup> [deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship](http://deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship)

<sup>263</sup> [deepclimate.files.wordpress.com/2011/10/said-wegman-2009-suboptimal-scholarship-v12.pdf](http://deepclimate.files.wordpress.com/2011/10/said-wegman-2009-suboptimal-scholarship-v12.pdf)

<sup>264</sup> *The quality of the Wikipedia pages was higher.*

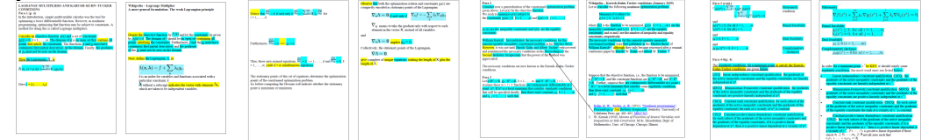
<sup>265</sup> For DC’s detailed discussion of other problems, background in the relevant mathematics and computing topics is helpful or necessary. For example, experts might be surprised to find “iterative” and “recursive” treated as synonyms. Plagiarism is easier to see for domain non-experts.

<sup>266</sup> [content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1](http://content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1) Neither GMU nor Wegman replied to questions.

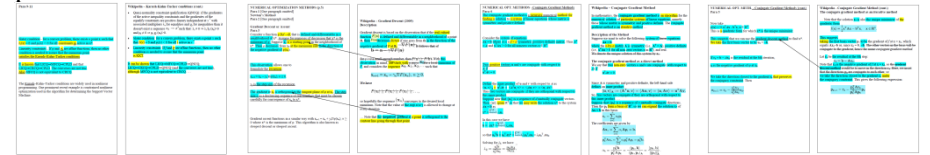
#### p.7 of DC analysis



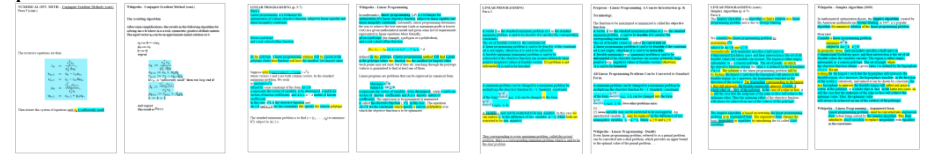
#### p.11



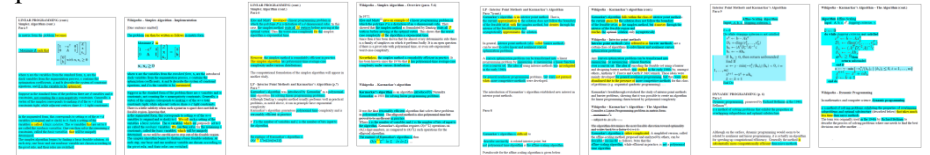
#### p.15



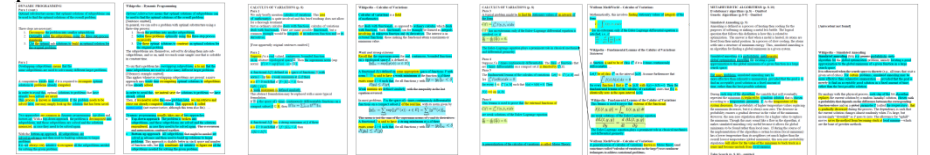
#### p.19



#### p.23



#### p.27



These 2 articles were reported to Wiley, as described shortly. As with GMU, Rice (for Scott on WR) and Elsevier (*CSDA*), the reports were originally kept confidential to await reasonable progress in their handling. Rice and Elsevier did so expeditiously, Elsevier against strong resistance. **GMU verdict on Said and Wegman (2009): never asked for information.**

**P.A.5.2 Reporting Editors' plagiarism to Wiley [i, r]**

When substantial plagiarism is found in articles by 2 Editors-in-Chief and 3<sup>rd</sup> E-i-C is a long-time, close associate, the only recourse is the publisher, details in §A.3. (*UPDATE: here, §A.3 is copied as §Q.1 for continuity*).

03/28/11 I sent email to Wiley, including:

"I am writing to report massive plagiarism in an article by Wegman and Said, "Color theory and design" in the recent issue of this journal they edit with long-time associate David Scott."

03/30/11 Wiley's Stephen Quigley<sup>267</sup> replied, copying Janet Bailey.<sup>268</sup>

"We are in receipt of your email dated March 28, 2011 regarding "substantial plagiarism by editors Wegman and Said."

04/24/11 I sent more issues to Quigley, including:

"I am afraid further problems have appeared, ...

1) Problem: Dr Yasmin Said's affiliations on WIRES:CS masthead are either false or obsolete.

2) Problem: Further plagiarism has been found in WIRES:CS Vol 1, Issue 1, Said and Wegman, "Roadmap for optimization."

04/26/11 Quigley replied, copying Bailey:

"Please be advised that we are in receipt of your second email on various issues dealing with the editors of WIRE: Computational Statistics. We are reviewing the facts. **Should any changes to the record be warranted, those will be made on the record.**"

05/09/11 Ted Kirkpatrick sent Wiley more detailed analysis of Said and Wegman

05/12/11 Quigley Ack'd Kirkpatrick (*UPDATE: missed in [MAS2012c]*)

05/15/11 I emailed to Quigley:

'1) Further information on the "Color article" is:  
[deepclimate.org/2011/05/15/wegman-and-said-2011-part-2/](http://deepclimate.org/2011/05/15/wegman-and-said-2011-part-2/)

09/08/11 I emailed Quigley:

"Now that it has been 5 months, might I assume that Wiley has determined that no changes to the record are warranted\*? ... \* That is:

1) Wegman and Said (2011)

2) Said and Wegman (2009), as documented in more detail by Ted Kirkpatrick

3) Said's claimed Professorship at Oklahoma State University. '

09/15/11 Quigley replied:

**'In response to your most recent email (of September 9), it is against Wiley policy to comment on editorial processes to third parties, but, rest assured that any changes to the record will be made on the record.'**

10/04/11 DC published the detailed analysis, [DEE2011g] covered [VER2011b].

**P.A.5.3 Wegman, Said, Scott and Wiley [i\*, r\*]**

DC made another surprising discovery March 2012.<sup>269</sup> Wegman and Said quietly reworked their papers to reword copied text, include more citations and fix the errors enumerated by DC and others. The only comments were: Wegman and Said, Color Theory and Design [i] → [i\*] PDF mod 01/03/12

"This article, first published online on February 4, 2011 in Wiley Online Library ([www.wileyonlinelibrary.com](http://www.wileyonlinelibrary.com)), **has been revised at the request of the Editors-in-Chief and the Publisher**. References and links have been added to aid the reader interested in following up on any technique.' ... 'ACKNOWLEDGMENTS

**As with any overview article, this discussion was synthesized from many sources including the cited Wikipedia articles.** Early discussion in the sections on Human Visual System and Color Theory were based on Park2 and Eastman Kodak,<sup>5</sup> which are now no longer directly accessible. Much of the discussion in the section on 'Color Deficiencies in Human Vision' and the subsection on 'Hardwired Perception' is based on material in Green. The inspiration of Marc Green is hereby gratefully acknowledged.'

Said and Wegman, Roadmap for Optimization [r\*] PDF mod 01/10/12

"This article, first published online on July 13, 2009 in Wiley Online Library ([www.wileyonlinelibrary.com](http://www.wileyonlinelibrary.com)), has been revised at the request of the Editors-in-Chief and the Publisher. References and links have been added to aid the reader interested in following up on any technique.' ...

ACKNOWLEDGMENTS

**As with any overview article, this discussion was synthesized from many sources including the cited Wikipedia and Mathematica articles.** There is no intent in this article to claim that this article represents original research work on our part, but this article is offered with the intent of providing the Roadmap to the field. **We are grateful to the two external referees who reviewed this article and whose suggestions have much improved the discussion.'**

[MAS2012a, MAS2012c] sections §2-§4 recorded earlier history, but complaints here focused on [WEG2011, SAI2009] plagiarism allegations, which rise or fall on their own merits. Wegman and Said did massive rewrites to avoid retractions, **so knew perfectly well that the real complaints were unrelated to those against the WR and other works.**

**In late June 2011+2012, Wegman and Said silently disappeared from the masthead, leaving only Scott. The GMU directory no longer listed Said Wiley Board and executives have refused to acknowledge any problem.**

<sup>267</sup> Associate Publisher, Wiley-Blackwell, Marblehead, MA.

<sup>268</sup> I think she is/was Vice President and Publishing Director, Physical Sciences Books and References, Wiley, Hoboken, NJ. She was copied on email exchanges.

<sup>269</sup> [deepclimate.org/2012/03/16/wiley-coverup-complete-wegman-and-said-redo-hides-plagiarism-and-errors](http://deepclimate.org/2012/03/16/wiley-coverup-complete-wegman-and-said-redo-hides-plagiarism-and-errors) The E-i-C's have written 7+ articles for WIRES:CS.

## Q. Interactions with Wiley and others

### Q.0 Overview of Wiley interactions

#### Q.0.1 Organizing 30 pages of emails and a few letters

§Q.1-§Q.4 records interactions with Wiley and others. A few posts (**green**) *deepclimate.org* are cited as they are key publications and as the primary sites for the community commentary that developed.

Messages are arranged chronologically in 4 major Phases, each showing: **Date, Sender and Recipient(s)**. **Blue is used for people who sent email to Wiley (red)** or other stakeholders (black), who got information or concerns. **Wiley** got those plus formal complaints.

**Quoted text.**<sup>270</sup> This enables readers to examine complete context, but it is very time-consuming to digest the entire text, so extra tags are used:

**Colored tags** are inserted to call out key issues, but in context. They are copied with Date, Sender, Recipients to Wiley Chronology §Q.0.3,<sup>271</sup> to condense 30 pages of text into a single page overview.

Dark blue tags mark the core complaints to Wiley, the light blues are external information, concerns, or partially-resolved complaints

- 0 Other well-documented allegations against Wegman or Said.
- 1 SAI2008 retracted by Elsevier.
- 2 SAI2008 admitted as plagiarism by GMU
- 3 Concerns, regarding editorial process/peer review, §Q.0.4. Near end, 3 marks a specific problem with [REZ2011].
- 4 Said's false rank and affiliation for 2 years. When (mostly) fixed, 4 tagged concerns that Wiley had delayed a simple fix so long.
- 5 WEG2011 plagiarism allegation, against Wegman and Said(2011)
- 6 SAI2009 plagiarism allegation, against Said and Wegman (2009)
- 7 Massive redo of 5 6, ■ cover-up, complaint against Wegman, Said and Wiley staff<sup>272</sup> who allowed it. *This was an implicit admission of plagiarism, as massive rewrites happen only for good reason.* By Wiley/COPE rules, they should have been retracted.
- 8 Reputation issues, mostly for other stakeholders
- 9 Why are they still Editors-in-Chief?<sup>273</sup>

<sup>270</sup> A few names of bystanders are redacted when irrelevant.

<sup>271</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/Wiley.complaints.chron.xls](http://www.desmogblog.com/sites/beta.desmogblog.com/files/Wiley.complaints.chron.xls) This may be easier to read, given the density.

<sup>272</sup> These had to include at least Stephen Quigley and Janet Bailey.

<sup>273</sup> This only got raised later, to others whose reputations might be damaged.

Wiley communications and actions are tagged:

- Reasonable reply, timely and even if minimal, appropriately so early in process, when noncommittal comments are required.<sup>274</sup>
- ⊗ Stonewall comment, answer, but real information unlikely.
- 5 6 7 Explicit rejection of the 2 original core complaints and of idea that there was any problem with the redo/cover-up
- Action, with no announcement or explanation, usually implicit admission of real problem but unwilling to admit, compared to *plausible straightforward actions*:
  - 4 ■ long-delayed, silent fix up of Said false rank/affiliation  
*2 days: thanks for noticing obsolete web data, we've fixed it.*
  - 5 6 ■ the massive redo/cover-up exposed as 7  
*Next issue: retract, minimal notes: we regret carelessness.*<sup>275</sup>
  - surprise resignations, while we were being told no action, and later that the rewritten papers would remain published.  
*Arrange replacement Editors, graceful exit, thank for service.*  
*It would probably be too much to expect a real explanation.*

Wiley needed to be informed of the external history 0 1 2,<sup>276</sup> but those had no bearing on Wiley-related complaints 4 5 6 7.

The Wegman/Said lawsuits focused almost entirely on the earliest complaints by Bradley about the WR (part of 0), perhaps because GMU managed to reject them. They never mentioned the Wiley-specific issues.

Because I knew the real history well, I originally thought §C #6, #7, #8, #9, #10 to be some odd introduction, and #13 (“alleged plagiarism”) as referencing 5 6. My lawyers read the actual lawsuit words correctly: **Wegman and Said blamed resignations on mentions of the 0 early allegations against the WR, most made by other people.** *Although that makes little sense, §C indeed says that.*

<sup>274</sup> Complainants cannot expect progress reports, but usually deserve a credible report at the end of a process, but organizations vary in their execution. GMU seems to have made theirs more opaque over the last few years.

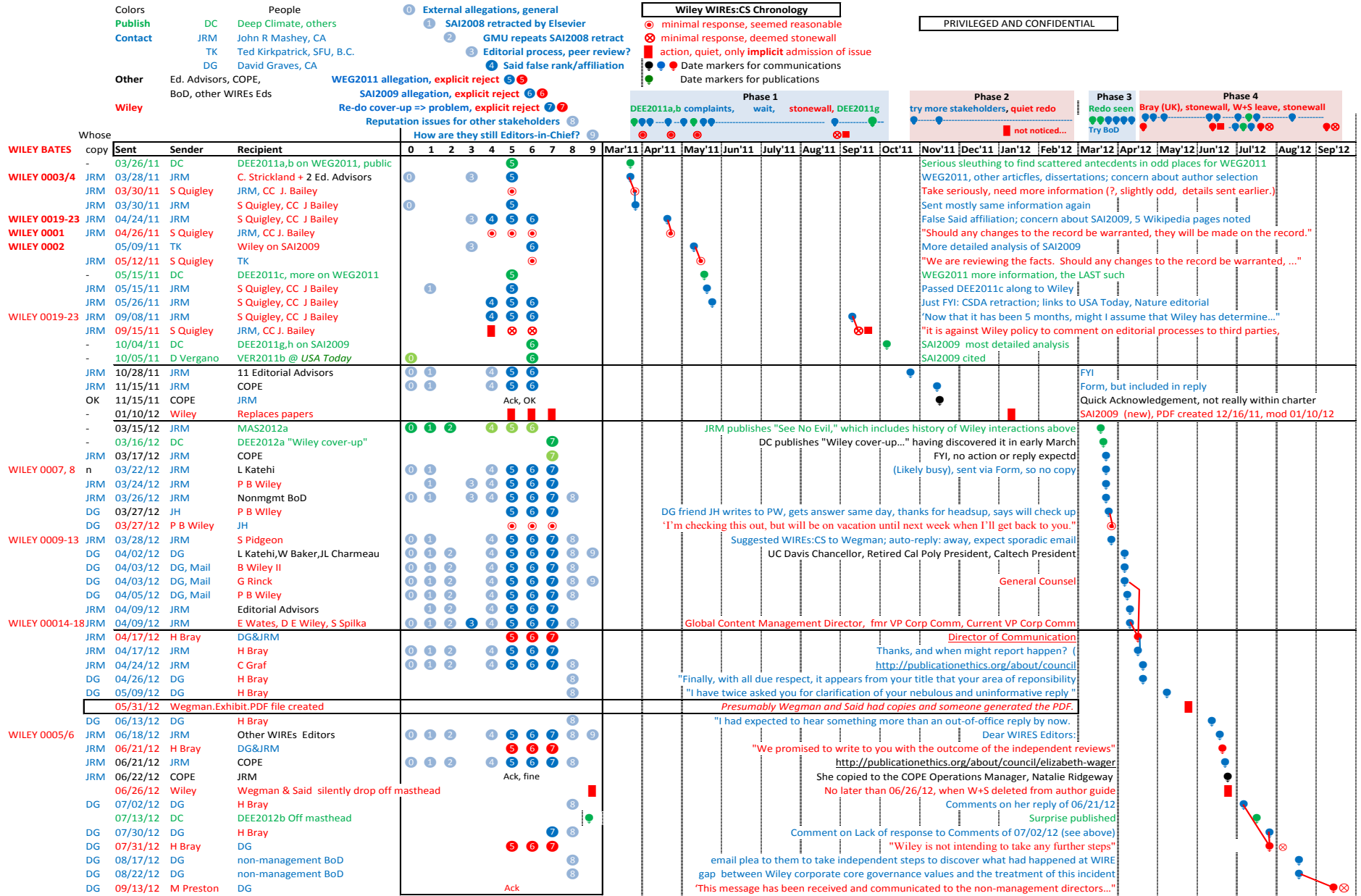
<sup>275</sup> [retractionwatch.com/2012/08/08/plagiarism-costs-canadian-lab-on-a-chip-researcher-a-paper-in-his-own-journal](http://retractionwatch.com/2012/08/08/plagiarism-costs-canadian-lab-on-a-chip-researcher-a-paper-in-his-own-journal) rare, embarrassing, but possible

<sup>276</sup> As can be seen at [retractionwatch.com](http://retractionwatch.com), discovery of one act of plagiarism leads people to look more carefully at an author's works and often find more.



Q.0.3 Wiley chronology

www.desmogblog.com/sites/beta.desmogblog.com/files/Wiley.complaints.chron\_xls



### Q.1 Early email exchanges with Wiley

Most was published in [MAS2012a, MAS2012c §A.3 ]. Text of lesser importance omitted for brevity is restored here in gray.

The first line of each email is now colorized as per the rest of §Q.

New annotations or corrections to the originals are shown in blue.

§Q.1's textual complexity subsides by §Q.2, as remaining text is new!

#### Q.1.1 2011.03.26- Initial complaints, add information, wait 3 months

When substantial plagiarism is found by 2 Editors-in-Chief and the 3<sup>rd</sup> is a long-time close associate of theirs, the only recourse is the publisher.<sup>277</sup>

A history of interactions with Wiley follows:

On 03/28/11, I sent email to Wiley, including.<sup>278</sup>

'Dear Cassie Strickland, Profs. Rosenberger, Friedman:

Please forward to Edward Bates and Oliver Arnott, whose emails I am unable to find, as per:

<http://blogs.wiley.com/publishingnews/2009/12/09/maintaining-the-version-of-record-wiley-blackwell-retraction-policy/>

⑤ 1) "I am writing to report massive plagiarism in an article by Wegman and Said, "Color theory and design" in the recent issue of this journal they edit with long-time associate David Scott.

[onlinelibrary.wiley.com/doi/10.1002/wics.v3.2/issuetoc](http://onlinelibrary.wiley.com/doi/10.1002/wics.v3.2/issuetoc)

Normally, I would report such to the editors, but that didn't seem likely to be useful in this case.

If I need to send this elsewhere, please advise. ---

'2) I'm a half-retired Bell Labs/Silicon Valley computer scientist who has been studying potential academic misconduct problems involving Wegman and Said. I've copied members of the Advisory Board where we likely know people in common, all of whom are aware of my activities in this area:

<sup>277</sup> In the *CSDA* case, E-i-C Stanley Azen was an old associate of Wegman's and wrote, MAS2011a, p.11:

'So, I have two thoughts. The first thought is to have Ed's response reviewed by an expert (e.g" lawyer, or ethics person) at Elsevier, with the goal of helping Elsevier make the appropriate decision as to whether additional "punishment" (e.g., withdrawing the paper) is needed. The 2nd thought is that we agree that proper "punishment" has already occurred, and we go forward with Ed's recommendation of providing an errata sheet for publication in *CSDA*.'

There, Elsevier followed normal policy, drove the process and eventual retraction.

<sup>278</sup> 2) omitted, had comments for the 2 Editorial Advisors.

Prof. Rosenberger: my B.S., MS and PhD are from Penn State, and I'm still in contact, lectured there a few years ago, and see [redacted] most years when he comes to visit. Others include [redacted], among others.'

Prof Friedman: I live in Portola Valley, am often on Stanford campus.

[redacted] are quite familiar with my work on this, among others.<sup>279</sup>

⑤ 3) The plagiarism was discovered and exhaustively documented by Canadian blogger "Deep Climate," a fine investigator who prefers to remain anonymous. Of course, near-verbatim plagiarism is easily demonstrable, and he has done a detailed analysis, posted publicly at: [deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour](http://deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour)

It includes a 22-page side-by-side analysis of the paper with the antecedent texts:

[deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf](http://deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf)

This plagiarism chain started in 2002, with material used in lectures, an Army ACAS course, and finally in Wegman and Said (2011). Commenters on that post have already identified Wegman/Said plagiarism in two more articles.

④ 4) Wegman and his students now have a long history of using other people's work, usually via cut-and-paste with a little editing, with at-best vague and often zero citation. In addition to various articles and book chapters, the 2006 Wegman Report for Congress, this includes 4 PhD dissertations, including Said's.

③ 5) That issue of the *WIRES* journal has 10 articles, of which:  
3 are by Wegman's past students: Martinez, Moustafa, Chow  
1 is the Wegman and Said article  
1 is by Scott  
1 is by a colleague of Scott's at Rice, Wickham

---  
All this may be perfectly fine, but is somewhat disconcerting to see such a concentration of authors."

(cont)

<sup>279</sup> I understood that busy people may reasonably not assign high priority to unsolicited emails, so I offered names (redacted here as irrelevant) of people (Professors, Deans, or above) at the 2 of 11 schools where I have good contacts.

① ‘6) Wegman and Said ran a multi-year campaign, 2006-2010, attacking climate science for bad peer review, with no evidence beyond fact that people coauthored papers. They also plagiarized material from Social Networks Analysis textbooks for the 2006 Wegman Report and a 2008 article in Computational Statistics and Data Analysis, where Wegman was then an Advisor and Said an Associate Editor. Top SNA researchers have looked at that article and thought it was quite poor, but it was accepted in 6 days at CSDA with no revisions.

These claims are documented in detail, referencing findings by Deep Climate, and then many additions:

<http://deepclimate.org/2010/09/26/strange-scholarship-wegman-report/>

① That led to articles in USA Today:

<http://content.usatoday.com/communities/sciencefair/post/2010/10/wegman-plagiarism-investigation-1>

[http://www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned\\_N.htm](http://www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned_N.htm)

<http://content.usatoday.com/communities/sciencefair/post/2010/11/wegman-report-round-up/1>

Given that publicity, it is surprising to see Wegman and Said do this again. However, Wegman's comments show that he doesn't believe any of this is plagiarism. It is unclear what George Mason University thinks, as it has now been a year since the original complaint by Professor Ray Bradley:  
<http://www.desmogblog.com/gmu-still-paralyzed-wegman-and-rapp-still-paranoid>

7) So, I am sorry to have to hand you this mess, but you need to be informed.

Sincerely

John R. Mashey, PhD  
Portola Valley, CA'

That is the entire first complaint to Wiley and 2 Editorial Advisors. In large publishers, it is sometimes nontrivial to know the right contacts.

⑤ **WEG2011 is the clear focus, with specific URLs.**

① Wegman Report and other history mentioned as evidence of repeated behavior, not Wiley's responsibility.

③ Early concern is raised about the editorial process, more later. This was published in [MAS2012a, MAS2012c] hardly a secret.

① On 03/30/11, Wiley's Stephen Quigley<sup>280</sup> replied, copying Janet Bailey.<sup>281</sup>

“We are in receipt of your email dated March 28, 2011 regarding “substantial plagiarism by editors Wegman and Said.” Before we initiate an internal investigation, we need specific evidence of your claim<sup>282</sup> since, as I am sure you are aware, we do not take such an allegation lightly.”

On 03/30/11, I replied to Quigley, including:

⑤ “Sir: thank you for your prompt attention to a circumstance whose distressing nature I understand.

I suggest reading 2 recently-posted files:

[deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour/](http://deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour/)

That gives an overview, context and some examples and I would suggest reading that first.

⑤ Then see:

[deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf](http://deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf)

That is a 22-page detailed writeup, summarizing the various antecedents of Wegman&Said(2011), including 16 detailed pages of side-by-side comparison, using a color scheme that quickly shows the cut-and-paste/edit work, and that Deep Climate and I have employed in earlier analyses, including the one that led to:

① [www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned\\_N.htm](http://www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned_N.htm)”

I believe that near-verbatim cut-and-paste plagiarism can be hard to find, but is fairly clear once identified.

If I can provide more assistance, I will be glad to do so, although at the moment I'm in Canada skiing, with no email access while on the slopes, hence will not be able to respond immediately.

Sincerely,

John R. Mashey'

<sup>280</sup> Associate Publisher, Wiley-Blackwell, Marblehead, MA.

<sup>281</sup> I think she is/was Vice President and Publishing Director, Physical Sciences Books and References, Wiley, Hoboken, NJ. She was copied on all email exchanges after the first.

<sup>282</sup> *This seemed slightly odd.* The original email gave the key URLs, plus supporting notes. just repeated in the following reply.

On 04/24/11, I sent more issues to Quigley, including:

This included 3 attachments:

*chron.wegman.xlsx graph* - alleged plagiarism chains, earlier §G.

*Wegman.resume2a.pdf* - from 2010 - SAI2009 was included under the category “Papers”, i.e., peer-reviewed papers ... and that seemed unlikely.

*Wiley.WIRES.xlsx*<sup>283</sup> – spreadsheet as backup for concern (not allegation) over editorial process and peer review, partly stirred by previous, §Q.5.

⑤ ‘I am afraid further problems have appeared, beyond the plagiarism reported to Wiley 03/28/10, detailed in: [deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour/](http://deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour/)

I sympathize with the awkwardness of all this and I apologize for any errors, as this was assembled in some haste.

#### OVERVIEW

③ 1) Problem: Dr Yasmin Said’s affiliations on WIRES:CS masthead are either false or obsolete.

⑥ 2) Problem: Further plagiarism has been found in WIRES:CS Vol 1, Issue 1, Said and Wegman, “Roadmap for optimization.”

Much of it seems cut-and-paste from Wikipedia articles. ...

③ 3) There are also some disquieting concerns, which may or may not rise to actual problems. Wiley may want to check the review processes at WIRES:CS and clarify how this really works, as there seems to be confusion. About 28% of the papers are authored by the Editors themselves or people with obvious close ties. The scope of WIRES:CS seems a bit broad for good review coverage, even understanding the interdisciplinary approach.

Attachment 1 is a draft summary chart of alleged plagiarism issues 1996-2011 covering Wegman and students.

I make no claim that this is anything like complete, as various seemingly-related articles are not easily obtained.

I have ever found any evidence of plagiarism by Dr. Scott, although he has certainly been aware of earlier plagiarism issues. See p.7 (03/24/10 Rice letter to Bradley):

[http://www.desmogblog.com/sites/beta.desmogblog.com/files/strange%20inquiries%20v2%200\\_0.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/strange%20inquiries%20v2%200_0.pdf)

<sup>283</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/Wiley.WIRES\\_.xls](http://www.desmogblog.com/sites/beta.desmogblog.com/files/Wiley.WIRES_.xls)

④ 1) PROBLEM: DR YASMIN SAID’S AFFILIATIONS ARE EITHER FALSE OR OBSOLETE

[onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html](http://onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html)<sup>284</sup>

[www.wiley.com/bw/editors.asp?ref=1939-5108&site=1](http://www.wiley.com/bw/editors.asp?ref=1939-5108&site=1) both show:

“Yasmin H. Said, Professor, Oklahoma State University,

Ruth L. Kirschstein National Fellow, George Mason University”

a) Said has **\*never\*** been an employee of OSU and certainly not a Professor. She was offered an Assistant Professor job in March 2009, for Fall 2009. She later requested a lighter teaching load, granted by OSU. Then, around August, she asked to defer her arrival by a semester, which was not agreed, so she resigned that position. For a few months, both she and OSU did think she would be starting there in the Fall. For background, see Appendix A.6.5, “Odd loose ends at Wiley Interscience” p.83 of: [deepclimate.files.wordpress.com/2010/09/strange-scholarship-v1-02.pdf](http://deepclimate.files.wordpress.com/2010/09/strange-scholarship-v1-02.pdf) If confirmation is needed from OSU, I can provide relevant contacts. ...

b) She was a Kirschstein Fellow, but as best as I can tell, has not been so since Sept 2008,<sup>285</sup> before the first issue of WIRES:CS.

<http://grants.nih.gov/training/outcomes.htm#DataStatistics>

<http://report.nih.gov/FileLink.aspx?rid=634> FY 2008 – lists Said, and that would cover through September 2008.

<http://report.nih.gov/FileLink.aspx?rid=635> FY 2009 – does not list Said

c) Most of her biography provided through Wiley is obsolete, wrong, or exaggerated, discussed later.’

<sup>284</sup> [www.webcitation.org/5zTFInebI](http://www.webcitation.org/5zTFInebI) has archived version form 06/15/11.

<sup>285</sup> As discovered later [MAS2013c], the Kirchstien Fellowship covered 05/26/08 to 05/29/09, so it ended before the first issue of WIRES:CS July-August 2009.

⑥ 2) PROBLEM: FURTHER PLAGIARISM: WIRES:CS Vol 1, Issue 1, Said and Wegman, "Roadmap for optimization" (SW2009)

[onlinelibrary.wiley.com/doi/10.1002/wics.16/abstract](http://onlinelibrary.wiley.com/doi/10.1002/wics.16/abstract)

Part of this article seemed to have come from Wikipedia, but more has been found since:

[deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour/#comment-8486](http://deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour/#comment-8486)

I think a thorough comparison document will be prepared by an associate in next week or two,<sup>286</sup> but a few hours' efforts sufficed to find Wikipedia pages, circa mid-2009, all of which have text with striking similarities, although SW2009 occasionally has extra errors.

[en.wikipedia.org/w/index.php?title=Karush%E2%80%93Kuhn%E2%80%93Tucker\\_conditions&oldid=303189545](http://en.wikipedia.org/w/index.php?title=Karush%E2%80%93Kuhn%E2%80%93Tucker_conditions&oldid=303189545)

[en.wikipedia.org/w/index.php?title=Linear\\_programming&oldid=302228577](http://en.wikipedia.org/w/index.php?title=Linear_programming&oldid=302228577)

[en.wikipedia.org/w/index.php?title=Simplex\\_algorithm&oldid=269565766](http://en.wikipedia.org/w/index.php?title=Simplex_algorithm&oldid=269565766)

[en.wikipedia.org/w/index.php?title=Karmarkar%27s\\_algorithm&oldid=292855439](http://en.wikipedia.org/w/index.php?title=Karmarkar%27s_algorithm&oldid=292855439)

[en.wikipedia.org/w/index.php?title=Simulated\\_annealing&oldid=301539847](http://en.wikipedia.org/w/index.php?title=Simulated_annealing&oldid=301539847)

For example, here is a cut-and-paste with minimal trivial edits, a plagiarism style seen often involving Said:

Said and Wegman: p.9 Simulated annealing (zero citations)

"Simulated annealing is a probabilistic metaheuristic global optimization algorithm for locating a good approximation to the global minimum of a given function in a large search space. For many problems, simulated annealing may be more effective than exhaustive enumeration provided that the goal is to find an acceptably good solution in a fixed amount of time, rather than the best possible solution."

[en.wikipedia.org/w/index.php?title=Simulated\\_annealing&oldid=301539847](http://en.wikipedia.org/w/index.php?title=Simulated_annealing&oldid=301539847) (July 2009)

" **Simulated annealing (SA)** is a generic probabilistic metaheuristic for the global optimization problem

of applied mathematics, namely locating a good approximation to the global minimum of a given function in a large search space. ... For certain problems, simulated annealing may be more effective than exhaustive enumeration — provided that the goal is merely to find an acceptably good solution in a fixed amount of time, rather than the best possible solution."

③ One might ask if anyone actually reviewed this paper, as it has problems beyond plagiarism. The approach seems to take uncited Wikipedia pages, copy a few of the references found in Wikipedia, but often detached as "further reading" or equivalent....?

③ 3) CONCERNS: PROCESSES AT WIRES:CS AND SEEMING CONFUSION OVER NATURE OF REVIEW; BREADTH

Attachment 2 is a spreadsheet identifying all 156 WIRES:CS articles and their authors, as backup for further comments, with summary data at bottom of spreadsheet.

NO CRITICISM WHATSOEVER OF WIRES:CS AUTHORS IS IMPLIED HERE. Most articles seem written by people with relevant published records. Unlike the conclusions of Said, Wegman, et al (2008) in CS&DA, I do not think association is guilt, but some WIRES:CS patterns raise disquieting concerns.

a) KEY ROLE OF YASMIN SAID, VERY JUNIOR COMPARED TO OTHER WIRES EDITORS, AND WITH DUBIOUS CREDENTIALS [http://media.wiley.com/assets/2205/94/WIREs\\_comp\\_stats\\_author\\_guide.pdf](http://media.wiley.com/assets/2205/94/WIREs_comp_stats_author_guide.pdf) has Said as the contact and Managing Editor.

④ Unlike the other WIRES editors, who are clearly senior people, she is a Research Assistant Professor: <http://peoplefinder.gmu.edu/index.php?search=yasmin+said&group=faculty&x=0&y=0>

As noted in Attachment 1, Dr Said appears to have a long history of plagiarism, starting with her PhD dissertation.

I cannot find a current C.V. The best I have is the following Wiley file, and it is possible that some past claims simply have not been updated. Nevertheless, it has many strange claims.

[http://media.wiley.com/assets/3002/50/WIREs\\_comp\\_stats\\_guide\\_for\\_authors\\_12.10.pdf](http://media.wiley.com/assets/3002/50/WIREs_comp_stats_guide_for_authors_12.10.pdf) of which p.6 says, with my annotations:

"Dr. Yasmin H. Said is a Visiting Fellow(1) at the Isaac Newton Institute for Mathematical Sciences at the University of Cambridge in England and is a National Research Fellow(2) from the National Institutes of Health. She earned her A.B. in pure mathematics, her M.S. in computer science and information systems, and Ph.D. in computational statistics. She does alcohol modeling, agent-based simulation modeling, social network analysis, text, image, and data mining, and major public policy work trying to minimize negative acute outcomes, including HIV/AIDS, related to alcohol consumption. Dr. Said is also the Statistical Methodology Director of the Innovative Medical Institute, LLC(3), and Co-Director(4) of the Center for Computational Data Sciences in the College of Science at George Mason University. She is the editor of Computing Science and Statistics(5), is an

<sup>286</sup> Ted Kirkpatrick sent this a few weeks later.

associate editor of the journal, Computational Statistics and Data Analysis(6), serves on the board of the Washington Statistical Society(7), and serves on the American Statistical Association Presidential Task Force on Science Policy. Dr. Said is an elected member of the International Statistical Institute, an elected member of the Research Society on Alcoholism, and an elected member of Sigma Xi, the Scientific Research Society. She is currently writing a book, Controversies in Global Warming(9) and another, Statisticians of the Twentieth Century. She has published a book, Intervention to Prevention: A Policy Tool for Alcohol Studies. With colleagues she has developed testimonies on global warming for the House Committee on Energy and Commerce and to the House Subcommittee on Oversight and Investigations.(10) She has also taught probability and statistics at The Johns Hopkins University in Baltimore, MD.(11)”

- (1) She and Dr Wegman were at Cambridge during part of 2008.
- (2) Kirschstein Fellowship described above. As best as I can tell, that ended Fall 2008.<sup>287</sup>
- (3) Innovative Medical Institute: little or no trace of this, whatever it is/was.
- (4) <http://cos.gmu.edu/> lists no such center. It does have <http://cos.gmu.edu/departments/computational-and-data-sciences>  <http://cds.gmu.edu/> Oddly, Said isn't listed in <http://cds.gmu.edu/content/faculty> .
- (5) That sounds like a journal, but is actually the proceedings of the Interface Symposia, organized by Interface, which has long been run by Wegman, <http://www.interfacesymposia.org/>, and for some of its history see: <http://deepclimate.files.wordpress.com/2010/09/strange-scholarship-v1-02.pdf> p.79.
- (6) She is no longer is an Associate Editor at CS&DA, and was not in December 2010.
- (7) <http://washstat.org/wssinfo.html> She was a non-voting member, on the Social Arrangements Committee.
- (8) <http://www.amstat.org/committees/commdetails.cfm?txtComm=ABTBOD0> I don't think this still exists, and the term “Presidential” is curious.
- (9) This is claimed by Amazon to be a 288-page book published by Wiley in 2007, but only by Wegman. [http://www.amazon.com/Controversy-Global-Warming-Study-Statistics/dp/0470147849/ref=sr\\_1\\_1?ie=UTF8&s=books&qid=1303676024&sr=8-1](http://www.amazon.com/Controversy-Global-Warming-Study-Statistics/dp/0470147849/ref=sr_1_1?ie=UTF8&s=books&qid=1303676024&sr=8-1)

<sup>287</sup> As discovered later [MAS2013c], the Kirchstein Fellowship covered 05/26/06 to 05/29/09, so it ended before the first issue of WIREs:CS July-August 2009.

Some of us have tried to order this book. Oddly, at the same time different booksellers claimed it was not yet printed or available within 2-3 days. Perhaps some is still working on it. I would be curious if someone at Wiley can confirm the existence or non-existence of this book, noting that if it actually exists, and if it includes much of the Wegman Report, there will likely be copyright actions.

- ⑩ (10) This was the Wegman Report, of which 35/91 pages have obvious plagiarism, among many other problems, including a key statistical claim based on a 1% cherry-pick of desired results. <http://deepclimate.files.wordpress.com/2010/09/strange-scholarship-v1-02.pdf>
- (11) Yes, this was true, for 2005-2006 school year. Then she returned to GMU.

### ③ b) SEEMINGLY HIGH FRACTION OF AUTHORS CLOSE TO THE EDITORS

Many of the WIREs:CS authors are clearly distinguished, with relevant publications, from my perusal of many C.V.s - they seem quite appropriate authors for review articles. I certainly expect editors to ask people they know for invited papers or book chapters, and Wegman and Scott have been prolific authors, so would have many coauthors and that is fine.

Still, it is disquieting that 28% of the papers (43/156) are authored by the editors, their past students, coauthors and university colleagues, 21% (33/143) by those of Wegman or Said.<sup>288</sup> Of this group, again, many are distinguished, quite reasonable choices, but some other author-topic combinations are not obvious. Some other people are starting to go back and review more of the articles and I will pass along anything of interest.

This level of associate involvement may be perfectly acceptable, especially if strong review processes are followed. Alternative explanations might be less positive.

### ③ c) INVITED OR REVIEWED?

From outside, it is very difficult to tell whether WIREs:CS has invited papers, peer-reviewed papers or editor-reviewed papers. Authors use different terminology in their C.V.s. Perhaps different papers are treated differently or perhaps people are just confused. If papers really are refereed, it is somewhat disconcerting to find only “Published Online” dates, rather than Received/Revised/Accepted dates, whose existence helps calibrate the processes.

<sup>288</sup> The claim that peer review in climate science was badly flawed was the thrust of SAI2008 and one of the 2 major thrusts of the WR.

The Mason Gazette, May 24, 2010, <http://gazette.gmu.edu/articles/16986> writes:

“According to Wegman, who directs Mason’s Center for Computational Data Sciences, WIREs Computational Statistics is published six times per year. **Contributions are by invitation and are refereed.**”

**It is hard to believe that “Roadmap to Optimization” was refereed or even seriously reviewed.**

Of the 225 author-paper combinations, I found 75 that were listed in people’s C.V.s:

3 invited  
45 ambiguous, such as “journal papers” or just “papers” or “publications”  
27 Reviewed or refereed

Of Dr Scott’s 6 articles, 5 have appeared in his C.V, and they are all labeled “refereed.” As far as I can tell, he is writing on subjects he knows, and these seem likely to be solid articles, but it seems fair to ask about the refereeing process, since that process failed badly with 2 articles by Wegman and Said. His C.V. is <http://www.stat.rice.edu/~scottdw/cv.pdf>

Wegman’s last available C.V. (Attachment 3) is from February 2010, but the file disappeared in August 2010, along with some other important files.

**Wegman lists “Roadmap for Optimization” under “Papers” (#197), not under his “Invited Papers”.**

Almost every paper in WIREs:CS may actually be fine, but as a reader of various journals, it is important to understand the quality control and review processes actually in place. **When I read review articles, I would like to know that they are well-balanced reviews and not recent research contributions (that might apply to a few.)**

If they are claimed to be refereed, it would be nice to be confident about that.

d) SCOPE OF WIREs:CS SEEMS OVERLY BROAD, WHICH MAY STRETCH REVIEW COVERAGE

I have long been fond of interdisciplinary approaches, but I have some concern when I read the topics included in:

<http://wires.wiley.com/WileyCDA/WiresJournal/wisId-WICS.html>

Has Computational Statistics expanded to include the wide range of topics included there?

It appears to have taken over big parts of computer science. Maybe that is appropriate, but it raises a question whether or not the Editors-in-Chief and Editorial Board \*clearly\* cover all this with computing expertise equivalent to their obvious statistical expertise.

It might be helpful if the Editorial Advisory Board listed key areas of expertise, as is often done in other WIREs journals and elsewhere.

Maybe it makes sense for a statistics journal to cover data mining (for which another WIREs exists), data visualization, data structures, databases, modeling & simulation, artificial intelligence, optimization and computer science models ...

but it raises concerns about the consistency of review. Most articles may be just fine, but it is really hard to be sure, especially given the problems around Dr. Said.

Example: I return to the Wegman & Said optimization article.

I was surprised to see “Roadmap to Optimization” in a computational statistics journal, whose lead author has no obvious strong publication record in the topic. I thought the article was of poor quality, written for no obvious audience, mixing detailed (if standard) math with shallow summaries lacking any sense of context.

Has computational statistics now also subsumed a large part of Operations Research?

If optimization should be discussed, I’d hope for something better than a shallow glued-together mix of mostly Wikipedia articles., with little context on real-world usage and importance.

CONCLUSION

**I think WIREs generally seems a good idea, and most articles seem plausible, even in WIREs:CS.**

I hope Wiley can deal with the clear problems and at least consider the concerns.

Interdisciplinary areas are nontrivial to get right, but the quality of implementation really depends on the editors, and in this case, **I’m afraid Wiley’s trust has been badly abused.**

● On 04/26/11, Quigley replied, copying Bailey:

‘Please be advised that we are in receipt of your second email on various issues dealing with the editors of WIRE: Computational Statistics. We are reviewing the facts. Should any changes to the record be warranted, those will be made on the record.’

⑥ On 05/09/11, Kirkpatrick sent Wiley a more detailed analysis of SAI2009.

This was the one email not already collected and documented for the court case and eventual publication, but was found in the Wiley response, §D.4.

● On 05/12/11, Quigley replied (CC Bailey, Roy Kaufman<sup>289</sup>), to Kirkpatrick, who forwarded his response: (*Missed in [MAS2010c]*)

‘Dr. Kirkpatrick,  
Please be advised that we are in receipt of your email dated May 9, 2011. We are reviewing the facts. Should any changes to the record be warranted, those will be made on the record.

Cordially,

SHQ

Steve Quigley  
John Wiley & Sons, Inc.  
Associate Publisher, Wiley-Blackwell  
Two Hooper Street @ Bank Square  
Marblehead, MA 01945  
USA

Having personally served the statistics and mathematics communities for 40 years ...

THE LAST WORD ...

"In the depth of winter, I finally learned that there was in me an invincible summer."

*Albert Camus*’

On 05/15/11, I emailed to Quigley, CC Bailey

⑤ ‘1) Further information on the “Color article” is:  
[deepclimate.org/2011/05/15/wegman-and-said-2011-part-2/](http://deepclimate.org/2011/05/15/wegman-and-said-2011-part-2/)

① 2) Also, while not involving Wiley, you may want to be aware of USA Today article: [www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman\\_n.htm](http://www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman_n.htm)  
Said, Wegman, Sharabati, Rigsby(2008) to be retracted from Computational Science and Data Analysis.’

① On 05/26/11, I emailed Quigley, labeled “FYI, NO REPLY NEEDED”<sup>290</sup>

‘Again, while not directly involved in the Wegman/Said issues with Wiley, additional context from the Elsevier case may be useful to you:

3) [Followup to USA Today article](#), i.e., text for which there was insufficient room in print version.

[content.usatoday.com/communities/sciencefair/post/2011/05/retracted-climate-critics-study-panned-by-expert-1](http://content.usatoday.com/communities/sciencefair/post/2011/05/retracted-climate-critics-study-panned-by-expert-1)

4) [An annotated analysis of Wegman’s email to Elsevier](#) that was mentioned in Vergano’s article.

[www.desmogblog.com/sites/beta.desmogblog.com/files/strange%20tales%20v%201%2001.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/strange%20tales%20v%201%2001.pdf)

5) [A related Editorial in Nature yesterday](#).

[www.nature.com/nature/journal/v473/n7348/full/473419b.html](http://www.nature.com/nature/journal/v473/n7348/full/473419b.html)’

(*followed by copy of the previous*)

<sup>289</sup> [scholarlykitchen.sspnet.org/2013/08/15/an-interview-with-roy-kaufman-copyright-clearance-center](http://scholarlykitchen.sspnet.org/2013/08/15/an-interview-with-roy-kaufman-copyright-clearance-center) ‘About 18 months ago, Roy Kaufman, Wiley’s Legal Director, left us for a new role as Managing Director of New Ventures at the Copyright Clearance Center (CCC).’ Thus, he would have been at Wiley in 2011, leaving sometime around February 2012.

<sup>290</sup> UPDATE: all were CC’d Bailey.

By end of May, Kirkpatrick and I had given Wiley all our information. Quigley had responded promptly with the wording expected at this stage, so it seemed that Wiley was taking the complaints seriously. From past experiences, even obvious plagiarism cases take months. This one was truly unusual, as serious plagiarism is rarely alleged against Editors-in-Chief. A few WIREs:CS issues appeared, but no retractions. **Far more mystifying** was delay in fixing Said's false rank/affiliation, things that universities take seriously. The online masthead could have been fixed in a few days. I had reported them 04/24/11.

### Q.1.2 2011.09.08 Time to ask again

On 09/08/11, I emailed Quigley:

'Now that it has been 5 months, might I assume that Wiley has determined that no changes to the record are warranted\*? ...

\* That is:

- ⑤ 1) Wegman and Said (2011)
  - ⑥ 2) Said and Wegman (2009), as documented in more detail by Ted Kirkpatrick
  - ④ 3) Said's claimed Professorship at Oklahoma State University.  
[onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html](http://onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html)
- (UPDATE: copy of 05/26/11 email)

⊗ On 09/15/11, Quigley replied:

'In response to your most recent email (of September 9), **it is against Wiley policy to comment on editorial processes to third parties, but, rest assured that any changes to the record will be made on the record.**'

In early September, by 09/16/11, the masthead changed Said's identification from:

- “Professor, Oklahoma State University” to:
- “Professor, George Mason University” and then later to:
- “Assistant Professor, George Mason University”<sup>291</sup>

The affiliation was improved, but the correct “Research Assistant Professor” title was not seen until sometime 02/27/12-04/30/12.<sup>292</sup> Both GMU and Wiley seemed to bending their own rules to protect Wegman and Said with minimal communication and long delays. Given this stonewall, no further meaningful communication could be expected from Quigley,

⑥ On 10/04/11, DC published the detailed analysis,<sup>293</sup> and as often occurred at *Deep Climate*, interesting comments added more data.

⑥ On 10/05/11, Dan Vergano wrote on the topic,<sup>294</sup> noting:  
 ‘Now, following work by Columbia University statistician Andrew Gelman<sup>295</sup> finding more botched copying of Wikipedia in a separate 2009 WIREs CompStats review article by Wegman, *Deep Climate* has released an analysis finding 13 blocks of copied Wikipedia text in the review article. Other text appears lifted from another researcher's textbook and Wolfram MathWorld. (Wegman and Said are editors in chief of the journal in which the review article appears, incidentally.)

Wegman and his attorney, Milt Johns, have not replied to an e-mailed request for comment on the complaints about the *WIREs CompStat* article. Johns has previously denied any plagiarism by the researchers. ...

George Mason University, under fire for an 18-month investigation<sup>296</sup> into acknowledged copying in the retracted study, did not reply to a request for comment on the latest news. ...

① All told, at least five published papers by Wegman and Said appear to suffer from plagiarism-related defects, summarizes the analysis. "It's a dismal chronology," concludes the *Deep Climate* blogpost.'

The formal complaints to Wiley had been kept quiet and unpublished until then. [MAS2012a] 03/15/12.<sup>297</sup>

Curiously, Wegman, Said and Johns seemed unfamiliar with these texts. The following was added in [MAS2012c], although unfortunately, the Wiley stonewall was to continue, and nothing useful happened until now.

Several people spent months contacting Wiley Board and executives to get them to acknowledge the problem and take action to regain credibility. Wegman and Said did disappear from the masthead, but the revised articles remain as peer-reviewed publications. More is to come on this story.

<sup>293</sup> [deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship](http://deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship)

<sup>294</sup> [content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1](http://content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1)

<sup>295</sup> [andrewgelman.com/2011/09/another-wegman-plagiarism-copying-without-attribution-and-further-discussion-of-why-scientists-cheat](http://andrewgelman.com/2011/09/another-wegman-plagiarism-copying-without-attribution-and-further-discussion-of-why-scientists-cheat)

<sup>296</sup> [www.nature.com/nature/journal/v473/n7348/full/473419b.html](http://www.nature.com/nature/journal/v473/n7348/full/473419b.html)

<sup>297</sup> From late 2011 through much of 2012, I was mostly following money flows and publishing [www.desmogblog.com/fake-science-fakexperts-funny-finances-free-tax](http://www.desmogblog.com/fake-science-fakexperts-funny-finances-free-tax) and its related followups. The Wiley effort was fairly small.

<sup>291</sup> She was a GMU Research Assistant Professor. She never took the job at OSU.

<sup>292</sup> <https://web.archive.org/web/20120415000000/http://onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html>

## Q.2 Stonewalled by Quigley, try a few other stakeholders

The Wegman and Said lawsuits are public documents that seriously misrepresent the history, at least the parts I know.

The remainder of §Q is the first publication of most of the details from October 2011 to September 2012. They were not going to be published.

**The pair of lawsuits is the only reason for writing and publishing this.**

The last response by Quigley had been quite discouraging.

Date	Days	Event
2011.03.28	-164	1 <sup>st</sup> complaint on [WEG2011]
2011.04.24	-137	1 <sup>st</sup> complaint on [SAI2009], false rank/affiliation
2011.05.09	110	More detail on [SAI2009] from Kirkpatrick
2011.05.15	-116	More detail on [WEG2011], passed along [DEE2011c]
2011.05.26	-105	Retraction of [SAI2008] by Elsevier
2011.09.08	0	Quiet for 3.5 months, masthead still wrong
2011.09.16	+8	Last response from Quigley, CC Bailey Masthead better, still not really correct.

One would think that well-documented plagiarism allegations against Co-Editors-Chief would be addressed quite rapidly, but from the Elsevier experience, it had taken about 6 months from first complaint.

The Wiley duration was not yet a clear stonewall, but getting close.

However, Quigley and Janet Bailey<sup>298</sup> seemed unconcerned about the high-profile retraction of [SAI2008]. Especially strange was Said's use of a false affiliation and inflated rank, something universities take seriously,<sup>299</sup> and it is easy to check.<sup>300</sup> The masthead finally got more or less right<sup>301</sup>

⊗ Quigley (with Bailey's approval) seemed to be stonewalling plagiarism complaints like GMU, so a few tries were made with other stakeholders:

WIREs:CS Editorial Advisors, whose names were always shown.

COPE – Committee on Publication Ethics, of which Wiley is a member.

<sup>298</sup> CC'd on first email from Quigley, and all interchanges thereafter.

<sup>299</sup> Fixes occurred just after my 09/08/11 email, but commenter "Sam" claimed that Oklahoma State U had complained to Wiley, perhaps the actual impetus. *Clearly, my earlier complaints seemed to have little effect.*

<sup>300</sup> The 2008 Author Guide by Cassie Strickland and Yasmin Said listed Said as affiliated with GMU.

<sup>301</sup> [https://web.archive.org/web/\\*/onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html](https://web.archive.org/web/*/onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html) is instructive

## Q.2.1 2011.10.28 Email WIREs:CS Editorial Advisory Board

On 10/28/11, I emailed the 11 members of the WIREs:CS Editorial Advisory Board.<sup>302</sup>

' Dear Sirs:

I find your names on the WIREs:CS Editorial Advisory Board:

<http://onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html> and

<http://andrewgelman.com/2011/09/another-wegman-plagiarism-copying-without-attribution-and-further-discussion-of-why-scientists-cheat/>

As members of the Advisory Board, you should at least know about:

⑤ 1) Wegman & Said (2011) was plagiarized from various sources, discovered and exhaustively documented by Canadian blogger "Deep Climate." Of course, near-verbatim plagiarism is easily demonstrable, and he has done a detailed analysis, posted publicly at:

<http://deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour>

It includes a 22-page side-by-side analysis of the paper with the antecedent texts:

<http://deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf>

More detail appeared in:

<http://deepclimate.org/2011/05/15/wegman-and-said-2011-part-2/>

This plagiarism chain started in 2002, with material used in lectures, an Army ACAS course, and finally in Wegman and Said (2011).

⑥ 2) Said & Wegman (2009) was almost entirely plagiarized from various Wikipedia pages, although with many errors.

This has been discussed starting in April, but a thorough analysis is in:

<http://deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship/>

<http://andrewgelman.com/2011/09/wiley-wegman-chutzpah-update>

<http://content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1> USA Today

<sup>302</sup> Of course, some of these links are out of date.

④ 3) From its inception, WIREs:CS masthead has listed:  
"Yasmin H. Said, Professor, Oklahoma State University, Ruth L. Kirschstein National Fellow, George Mason University Professor, Oklahoma State University.

She is actually a Research Assistant Professor at George Mason University, has never had the rank of Professor and never worked at Oklahoma State University. This finally got fixed in September 2011, changed first to Professor and then to Assistant Professor at George Mason.  
<http://onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html>

④ 4) For a fairly current list of plagiarism chains involving Wegman, Said or their students, see:  
<http://i55.tinypic.com/5mjvw2.jpg>  
[http://www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned\\_N.htm](http://www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned_N.htm) early plagiarism charges  
① [http://www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman\\_n.htm](http://www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman_n.htm) Retraction at CS&DA

③ 5) There are other issues regarding the nature or even existence of peer review at WIREs:CS. For example, if 2 of the 3 editors write plagiarized, error-filled papers, did anyone ever peer-review those? In particular, Said & Wegman(2009) was egregiously and obviously error-filled on first reading by anyone with any experience with optimization. There are more issues not yet formally published.

No replies were asked or expected, and there were none.

Over time, 5 of the 11 Advisors quietly dropped off the Board.

*No opprobrium should be attached to any who remained, because it is easily possible that Advisors thought they could help the journal prosper,<sup>303</sup> better by staying. Some of them, as well as some within Wiley may well have been arguing for different actions.*

Certainly, at least 11 senior statisticians were aware of the evidence.

It is unknown if they communicated with Wiley or anyone else, so it is quite possible that other statisticians may have heard about this and communicated with Wiley during the process.

As found later in [DEE2012b]:

‘It’s also noteworthy that the editorial board is down to only six members.

- Jerome H. Friedman, Stanford University
- Michael Friendly, York University
- Genshiro Kitagawa, Institute of Statistical Mathematics
- Carlo N. Lauro University of Naples “Federico II”
- Jae C. Lee, Korea University
- James L. Rosenberger, Pennsylvania State University

Back in 2010, there were almost double that number,<sup>304</sup> but five have left in the last year or so. They include:

- Jianqing Fan (Princeton University)
- Xiao-Li Meng (Harvard University)
- Luke Tierney (University of Iowa)
- D. Michael Titterton (University of Glasgow)
- Antony Unwin (University of Augsburg)

*WIREs Comp Stat*, like all the WIREs journals, was conceived from the start as a “serial encyclopedia”. But as far as I know, only the *Encyclopedia of Computational Statistics* was also slated for release as an actual hard-cover encyclopedia, with a planned publication date of July 13, 2012 – today!<sup>305</sup>

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<sup>304</sup> Link to

[web.archive.org/web/20100317091448/http://wires.wiley.com/WileyCDA/Section/id-398002.html?al=eb](http://web.archive.org/web/20100317091448/http://wires.wiley.com/WileyCDA/Section/id-398002.html?al=eb)

<sup>305</sup> Has not yet happened.

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<sup>303</sup> *The general concept of WIREs journals seemed good, and the others seemed to have executed it well. At its best, WIREs:CS seemed just as good.*

**Q.2.2 2011.11.15 Email COPE – Committee on Publication Ethics**

On **11/15/11**, I wrote to COPE,<sup>306</sup> of which Wiley was and is a member:

‘Subject: Massive plagiarism by 2 Editors of Wiley WIREs:cs, in 2 articles there; no action from Wiley, 7+ months

Comments:

1) Edward Wegman, Yasmin Said and David Scott edit Wiley's WIREs:CS: <http://onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homep...>

⑤ 2) Wegman and Said(2011), published in WIREs:CS, was identified as having massive plagiarism by Canadian blogger Deep Climate: <http://deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarsh...> <http://deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-...> <http://deepclimate.org/2011/05/15/wegman-and-said-2011-part-2/>

This was reported to Wiley in late March 2011, i.e., almost 8 months ago.

⑥ 3) Said and Wegman(2009), also published in WIREs:CS, was also identified as having massive plagiarism (of Wikipedia, especially), albeit with numerous absurd errors injected.

Some examples were reported to Wiley in April 2011, and recently, a more exhaustive analysis was done, and sent to Wiley:

<http://deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-schola...>

④ In addition, in April it was reported to Wiley that the WIREs:CS masthead falsely labeled Yasmin Said a Professor at Oklahoma State University.

She has never worked at OSU, and is actually a Research Assistant Professor at George Mason University. Finally, in September 2011, this was fixed, on one page, although not at:

<http://www.wiley.com/bw/editors.asp?ref=1939-5108&site=1>

① 4) The 2 authors have been involved in numerous alleged plagiarisms:

<http://i55.tinypic.com/5mjvw2.jpg>

① and already had one article retracted for plagiarism, covered in USA Today <http://www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate...>

Wiley has been informed of these as well.

5) At this point, all I get is "it is against Wiley policy to comment on editorial processes to third parties, but, rest assured that any changes to the record will be made on the record." Hence, I have given up inquiring as to status or process.

I don't know if there is anything COPE can do, and I realize quite well this is an odd case, but it is certainly not the sort of thing that raises respect for publishers.

If I can provide more information, let me know.

Sincerely,

John R. Mashey, PhD ...

<http://www.sciencemag.org/content/332/6035/1250.summary> Profile of me, in Science, June 2011.

<http://www.desmogblog.com/science-article-recognizes-john-mashey>

[http://en.wikipedia.org/wiki/John\\_Mashey](http://en.wikipedia.org/wiki/John_Mashey)

I received a courteous same-day reply from COPE, who explained that their charter really did not cover this (*unusual*) case.

*At this point, it seemed that all relevant stakeholders had been contacted, and the issue would be ignored.*

At this point, it really seemed that all avenues were exhausted, both inside Wiley and outside. Since no retractions had occurred for 7 months after the first reports, it seemed unlikely they would ever happen.

As learned later, it now appears that Wegman and Said were working on massive rewrites of their articles to eliminate the problems described in DC's blog posts and the formal complaints.

**Q.2.3 2012.02.22 Related activity at GMU**

Although distinct from Wiley, during this time, relevant events were occurring at GMU, which also seemed to be minimizing inescapable complaints, making self-contradictory rulings and stonewalling everything else, refusing to investigate any of the numerous other complaints. GMU, not Wiley, was the main focus of investigation [MAS2012a].

⊗ On **02/22/12** GMU Provost Stearns wrote a letter to the faculty, but not Ray Bradley, admitting but minimizing plagiarism in the retracted SAI2008 paper, but claiming no plagiarism in the WR, even for a longer form of the same text that caused retraction.

①①②⑤⑥⑦ On **08/20/12** [MAS2012a] was updated and expanded to 69 pages, incorporating FOIA replies that strongly contradicted Stearns' letter and Wegman's new claims of being exonerated by 2 separate committees. 'See No Evil, Speak Little Truth, Break Rules, Blame Others'[MAS2010c]

<sup>306</sup> [publicationethics.org](http://publicationethics.org) Committee on Publication Ethics

### Q.3 DC exposes cover-up, Graves volunteers help with BoD

01/10/12 (nominal, exact date unknown).

■ New versions of [SAI2009, WEG2011] replaced the old ones, in such an unobtrusive way few would notice unless explicitly looking at old files. The PDFs were created 12/16/11, modified 01/10/12, likely online then.

#### Q.3.1 2012.03.16 DC exposes massive, but quiet rewrites

①②⑤⑥ On 03/15/12 I published the 44-page [MAS2010a] to record the strange history of the academic misconduct complaints at GMU.

Email exchanges in §Q.1 had been kept quiet until then.

But the next blog post was the key event:

⑦ On 03/16/12 DC published “Wiley cover-up: Complete Wegman and Said “redo” hides plagiarism and errors.” [DEE2012a] was great sleuthing and persistence by DC. *That post and the 67 comments are worth studying in their entirety.* It described the massive, but obscure rewrites:

- The extensive redo’s were not announced or mentioned in current issue.
- **Date.** The papers were 1-2.5 years old and anyone merely skimming back issues would notice nothing, since Published dates did not change.
- **Abstract.** The revised abstracts were innocuous, seeming only to offer better references, and at the request of the Publisher and Editor-in-Chief (plural). Since those were Wegman, Scott and Said, at least 2 had to be involved, an obvious Conflict of Interest, as DC pointed out. In contradiction to Wiley policy, §R.1, original versions were not referenced or linked. Links were added later, sometime between 03/03/12 and 08/14/14, but *likely* after Said and Wegman had resigned.
- **Acknowledgements.** Unless someone had a subscription, they would have to buy each paper to investigate. DC compared old and new Acknowledgements, only those familiar with the history would see any hint of plagiarism or massive rewrites.
- **Original needed.** If someone examined the new papers, to assess the extent of the rewrite, they had to have kept copies of the old ones, or know about [DEE2011a, DEE2011c, DEE2011g].
- **Minimal citations.** According to *Google Scholar*, each paper got only 3 citations, but as seen shortly, several originated with a Wegman student, and another included a scathing critique.

The rest of §Q.3.1 explains the details behind the comments above.

#### [SAI2009]

**Dates.** Issue table of contents<sup>307</sup> kept the original Published date.

**Roadmap for Optimization** So, skimming Contents would reveal  
Yasmin Said, Edward Wegman nothing unusual.

**Published Online:** Jul 13 2009

**DOI:** 10.1002/wics.16

**Abstract.** The 2012 abstract<sup>308</sup> added this text, except the highlighted part, which was added sometime later, and remains, but date unknown, as the *Internet Archive* only snapshotted only 03/03/12. See also §P.5.3.

Said and Wegman, Roadmap for Optimization [r\*] PDF mod 01/10/12

‘This article, first published online on July 13, 2009 in Wiley Online Library (<http://www.wileyonlinelibrary.com>), has been revised at the request of the Editors-in-Chief and the Publisher. References and links have been added to aid the reader interested in following up on any technique. Please follow the link to the Supporting Information to view the original version of this article. <http://onlinelibrary.wiley.com/doi/10.1002/wics.16/suppinfo>’<sup>309</sup>

**Acknowledgements.** The Ack added:

‘As with any overview article, this discussion was synthesized from many sources including the cited Wikipedia and Mathematica articles. There is no intent in this article to claim that this article represents original research work on our part, but this article is offered with the intent of providing the Roadmap to the field. **We are grateful to the two external referees who reviewed this article and whose suggestions have much improved the discussion.**’

The identity of “external referees” is unclear. Certainly the issues raised by Ted Kirkpatrick and DC were addressed. Were they the “referees”? Were the “referees” people Wiley just asked to look at the papers?<sup>310</sup> Text was repaired, but as DC explained, it was still poor technically.<sup>311</sup> WIREs:CS articles are invited and supposed to be written by people with domain expertise, not stitched together from *Wikipedia* by people who introduce ludicrous errors.

<sup>307</sup> [wires.wiley.com/WileyCDA/WiresIssue/wisId-WICS\\_1\\_1.html](http://wires.wiley.com/WileyCDA/WiresIssue/wisId-WICS_1_1.html)

<sup>308</sup> [web.archive.org/web/20120303224205/http://wires.wiley.com/WileyCDA/WireArticle/wisId-WICS16.html](http://web.archive.org/web/20120303224205/http://wires.wiley.com/WileyCDA/WireArticle/wisId-WICS16.html)

<sup>309</sup> [wires.wiley.com/WileyCDA/WireArticle/wisId-WICS16.html](http://wires.wiley.com/WileyCDA/WireArticle/wisId-WICS16.html) 04/03/15

<sup>310</sup> As per [MAS2010a §A.1], Wegman’s model of “reviews.”

<sup>311</sup> If there is any doubt, people might consult optimization experts.

**Citations.** The article has only been cited 3 times, via *Google Scholar*:<sup>312</sup>

‘**Experiments in Optimal Spatial Segmentation of Local Regions Using Categorical and Quantitative Data**

**KK Benke, LR Benke** - Applied Spatial Analysis and Policy, 2013 - Springer  
Abstract A computational framework is described for optimal spatial allocation of land use categories across a geographical region. The relevance of optimisation, its advantages and disadvantages, and details on mathematical background relevant to natural resource ...

Cited by 2 Related articles All 3 versions Cite Save

No obvious connection, authors are Australian. I have not read this article.

#### Quadratic programming

**BA Turlach, SJ Wright** - Wiley Interdisciplinary Reviews: ..., 2015 - Wiley Online Library

Quadratic programming problems (QPs) arise in many areas of statistics, such as multiple linear regression problems in which linear constraints are imposed on the regression parameters such as nonnegative regression, 1 deconvolution problems, 2, 3 ensemble ...

Related articles All 2 versions Cite Save

No obvious connection, except WIREs:CS.

**To Throw Away Data: Plagiarism as a Statistical Crime** Whether data are numerical or narrative, removing them from their context represents an act of plagiarism

**A Gelman, T Basbøll** - americanscientist.org

In statistics, throwing away data is a no-no. From a classical perspective, inferences are determined by the sampling process: point estimates, confidence intervals and hypothesis tests all require knowledge of (or assumptions about) the probability distribution of the observed data. In a ...

Related articles All 2 versions Cite Save More’

This is [GEL2013], excerpted **§E.2013.05**. It is scathing, and the authors include a specific plagiarism example from [SAI2009].

#### [WEG2011]

**Dates.** Issue table of contents<sup>313</sup> also kept the original Published Date.

[Color theory and design](#)

Edward Wegman, Yasmin Said

Published Online: Feb 04 2011

DOI: 10.1002/wics.146

Again, skimming Contents would reveal nothing unusual.

**Abstract.** The 2012 abstract<sup>314</sup> added this text, except the highlighted part, which was added sometime later, and remains, but date unknown, as the *Internet Archive* only snapshotted 08/14/14. See also **§P.5.3**<sup>315</sup>

Wegman and Said, Color Theory and Design [i] □ [i\*] PDF mod 01/03/12

‘This article, first published online on February 4, 2011 in Wiley Online Library ( <http://www.wileyonlinelibrary.com>), has been revised at the request of the Editors-in-Chief and the Publisher. References and links have been added to aid the reader interested in following up on any technique. Please follow the link to the Supporting Information to view the original version of this article. <http://onlinelibrary.wiley.com/doi/10.1002/wics.146/suppinfo>’<sup>316</sup>

It seems likely that highlighted sentences in [SAI2009, WEG2011] were added about the same time, thus between 03/03/12 and 08/14/14. It seems unlikely that Wegman and Said would have done this before they departed.

**Acknowledgement.** DC had shown old one and then new, also in **§P.5.2**:

‘As with any overview article, this discussion was synthesized from many sources including the cited Wikipedia articles. Early discussion in the sections on Human Visual System and Color Theory were based on Park2 and Eastman Kodak,5 which are now no longer directly accessible. Much of the discussion in the section on ‘Color Deficiencies in Human Vision’ and the subsection on ‘Hardwired Perception’ is based on material in Green. The inspiration of Marc Green is hereby gratefully acknowledged.’

Readers might study DC’s side-by-side comparisons.

<sup>313</sup> [wires.wiley.com/WileyCDA/WiresIssue/wisId-WICS\\_3\\_2.html](http://wires.wiley.com/WileyCDA/WiresIssue/wisId-WICS_3_2.html)

<sup>314</sup> I have a copy of the file as of late February 2012.

<sup>315</sup> <https://web.archive.org/web/20140814012422/http://wires.wiley.com/WileyCDA/WiresArticle/wisId-WICS146.html>

<sup>316</sup> [wires.wiley.com/WileyCDA/WiresArticle/wisId-WICS146.html](http://wires.wiley.com/WileyCDA/WiresArticle/wisId-WICS146.html)

<sup>312</sup> [scholar.google.com/scholar?cites=14906085205674647085](https://scholar.google.com/scholar?cites=14906085205674647085)

**Citations.** The article has only been cited 3 times, via *Google Scholar*:<sup>317</sup>  
 ‘A brief history of stereoscopy’<sup>318</sup>

**RD King** - Wiley Interdisciplinary Reviews: Computational ..., 2013 - Wiley Online Library

For the purposes of this discussion, we use the terms three dimensional (3D) and stereoscopic to mean the same thing; that is, 3D is defined as presenting slightly different images to the left and right eyes so that the human visual system can integrate these two ...’

**06/05/13 WIREs:CS** published well after Wegman and Said departed.

‘**ACKNOWLEDGMENTS** The author would like to acknowledge the insightful comments made by the reviewer, which greatly improved the article. The author also wishes to express his thanks to **Ed Wegman** for the help in revising this manuscript and putting it into final form.’

#### **Impact of healthcare design on patients' perception of a rheumatology outpatient infusion room: an interventional pilot study**

G Bukh, AMM Tommerup, OR Madsen <sup>319</sup>- Clinical rheumatology, 2014 - Springer

Abstract Evidence-based healthcare design is a concept aimed at reducing stress factors in the physical environment for the benefit of patients and the medical staff. The objective of this study was to examine the impact of room modifications on patients' perception of an ...

#### **Multiprocessor Stereoscopic Visualization System for Images, Video and High Dimensional Data**

**RD King** - 2013 - digilib.gmu.edu<sup>320</sup>

Humans visualize information in three dimensions and use a stereoscopic system for depth cues. This visualization system uses LCD projectors to create a three dimensional data visualization system. Each of two projectors use a polarizing filter to isolate its image to ...’

**04/27/12 PhD dissertation, under advisor Wegman.** He wrote, p.112:  
 ‘Roger Duane King graduated from James Madison High School, Vienna, Virginia, in 1980. He received his Bachelor of Science from George Mason University in 1986. He has been employed as an engineer at George Mason University since 1987 and received his Master of Science in Computer Science from George Mason University in 1992.’

Roger Duane King was a coauthor with Wegman on a 1995 paper, §G.a. As it happens, by a brief comparison, about 1/3 of the text in the article was taken from the PhD dissertation, akin to [REZ011].

In [REZ011] the re-use of text had 2 issues:

- It re-used unattributed text from dissertation, not all would worry much.
- It converted “novel” PhD research into a review of the field, arguable.

In King’s case, no allegation of plagiarism is made,<sup>321</sup> as parts of the PhD Chapter One background were expanded into a *plausible* short history.<sup>322</sup> *Parts of dissertations are often published as papers, but normal academic scholarship includes a note near the beginning to say that much of the article was expanded from the referenced dissertation.*

*Many people would excuse this case as a simple oversight by a new PhD.*

*However, it is yet one more example of careless citation behavior among Wegman’s students. Wegman had to know where the WIREs:CS article text originated.*

On **03/17/12** I sent an email to COPE:

⑦ ‘FYI: as it happens, this situation has been resolved, as described in: <http://deepclimate.org/2012/03/16/wiley-coverup-the-great-wegman-and-said-redo-to-remove-plagiarism-and-errors/> and <http://www.desmogblog.com/see-no-evil-george-mason-university> sections 4.7, 4.8, 5.2 and Appendix A.3.

Basically, faced with detailed documentation of pervasive plagiarism in 2 articles by 2 of the Editors-in-Chief of Wiley’s WIREs:CS, they quietly revised the articles to eliminate the most obvious copy-paste, fix most of the errors identified, with no acknowledgement of any problem.

Hence, the Wiley standard appears to be that if serious plagiarism is caught and reported, reworking the articles retroactively makes it not have happened, and Wegman and Said remain as editors.’

<sup>321</sup> Unless it should turn out that some of the text came from someone else.

<sup>322</sup> Much discussed Wegman’s *interesting* work in the early 1990s with computers and graphics systems by Silicon Graphics, where I worked 1992-2000.

SGI even co-sponsored a conference of Wegman’s I might have attended if I had known of it, as it looked interesting.

<sup>317</sup> [scholar.google.com/scholar?cites=9061976099302319045](http://scholar.google.com/scholar?cites=9061976099302319045)

<sup>318</sup> [onlinelibrary.wiley.com/doi/10.1002/wics.1264/abstract](http://onlinelibrary.wiley.com/doi/10.1002/wics.1264/abstract) First online 06/05/13

<sup>319</sup> The authors are located in Copenhagen.

<sup>320</sup> [digilib.gmu.edu:8080/bitstream/handle/1920/7990/King\\_dissertation\\_2012.pdf?sequence=1&isAllowed=y](http://digilib.gmu.edu:8080/bitstream/handle/1920/7990/King_dissertation_2012.pdf?sequence=1&isAllowed=y) PhD Dissertation, April 27, 2012

**Q.3.2 2012.03.23 Idea to contact Wiley BoD, other executives**

About this time, David Graves,<sup>323</sup> who had followed *deepclimate.org* got the idea of contacting the Wiley Board of Directors and other senior executives,<sup>324</sup> since Wiley management had seemed willing to violate their own procedures and after a reasonable start had become unresponsive.

We tried to split the work, although with some overlap.

**It had now been 12 months since DC's original discovery of problems in [WEG2011] and my original complaint to Wiley.**

The main thrust of all this was to try to get Wiley to follow its own rules and normal journalistic practice, in the exceptionally-rare case of well-evidenced plagiarism by journal editors. In large organizations, the most senior executives and BoD may easily not be aware of problems below.

As shown in following, I sent email **Peter Booth Wiley** (Chairman, BoD), the [non-managementdirectors@wiley.com](mailto:non-managementdirectors@wiley.com), Linda Katehi (Chancellor, UC Davis), and **Sean Pidgeon**, VP and Publisher.

Two examples are provided, a short one for Peter Booth Wiley, and a longer one for the rest.

On **03/22/12**, I entered a comment into the form at UCSD to be sent to Chancellor Katehi.<sup>325</sup>

*I copied that into a draft email, sent 03/26/12 to the nonmanagement board, with at most minor edits.*

**§D.4 WILEY 0007-0008 included this email, plus a page or so of redacted comments. So, we may not know what she wrote, but we know that she took it seriously enough to send to Wiley.**

<sup>323</sup> David is a Napa vintner, [www.saintsbury.com/Our-Story](http://www.saintsbury.com/Our-Story)  
Vintners care about climate change, and he is knowledgeable enough to have given an invited lecture at Stanford 05/22/12:

Wine as an Indicator of Climate Change: Coastal California as a Case Study  
[globalecology.stanford.edu/news/seminars/2011-12seminars.html](http://globalecology.stanford.edu/news/seminars/2011-12seminars.html)

<sup>324</sup> Sometimes people at senior levels do not get informed of awkward problems.

<sup>325</sup> This of course is not a high-likelihood route, but seemed worth trying.

On **03/24/12**, I sent email to **Peter Booth Wiley**, Chairman of BoD:

'Sir: I am sorry to have to bother you with this, but I am afraid Wiley has a serious problem.

Edward Wegman and Yasmin Said are 2 of the co-editors-in-chief of Wiley's WIREs: Computational Statistics journal:

<http://onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html>

⑤ ⑥ They co-wrote 2 papers for the journal they edit. Both papers were mostly plagiarized, the first mostly from Wikipedia and both with enough errors that it is hard to imagine they were peer-reviewed by anyone who knew the topics. These were discovered, documented in detail and reported to Wiley March and April 2011. Complainants were told (by Stephen Quigley, with Janet Bailey copied on the exchanges) that if changes were needed to the record, they would be made on the record.

⑦ Around January 2012, both papers were quietly revised to fix most of the errors identified, add citations and reword the obvious copy-and-paste. No complainant was ever notified, there were no retractions and no one would ever have noticed unless they were familiar with the problem and were monitoring the files See <http://deepclimate.org/2012/03/16/wiley-coverup-the-great-wegman-and-said-redo-to-remove-plagiarism-and-errors/> and <http://www.desmogblog.com/see-no-evil-george-mason-university> PDF p.25, 35-37. for the emails.  
<http://content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1> USA Today

Although the other WIREs journals seem OK, WIREs:CS had more problems.

④ Said gave a false rank and affiliation (Professor, Oklahoma State University). This was reported to Wiley and it took 4 months to get that quietly fixed. ① In May 2011, Elsevier forced a retraction of a paper by Said, Wegman et al, covered in USA Today and Nature. That was reported to Wiley, as well. Nothing happened.

③ There are additional concerns about peer review and author selection as well, but those are just concerns that would need surveys of authors and outside review of most articles.

Sincerely,  
John Mashey, PhD (Computer Science)'

On **03/26/12**, I sent email to [non-managementdirectors@wiley.com](mailto:non-managementdirectors@wiley.com):

'I am sorry to have to bother you with this, but I am afraid Wiley has a serious problem. I apologize for any redundancy, as I am trying several routes to get to relevant people

#### EDITORS

The co-editors-in-chief of Wiley's WIREs: Computational Statistics journal: <http://onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html> are:

Editors in Chief:

Edward J. Wegman, Bernard J. Dunn Professor of Data Sciences and Applied Statistics, George Mason University  
 Yasmin H. Said, Assistant Professor, George Mason University  
 David W. Scott, Noah Harding Professor of Statistics, Rice University

Said was Wegman's student, is a frequent co-author of Wegman's and is actually a Research Assistant Professor, but is also listed as WIREs:CS Managing Editor. Scott is a long-time associate of Wegman's. ① In 2006, they wrote a 91-page report for Congress, of which 35 pages were found (by 2010) to have been mostly plagiarized.

#### 2 PLAGIARIZED PAPERS AMONG MANY

⑥⑤ Wegman and Said co-wrote 2 papers for WIREs:CS - Said and Wegman(2009) and Wegman and Said (2011).

Both papers were mostly plagiarized, the first almost entirely from Wikipedia, the second from that plus various other sources. These were discovered, documented in detail and reported to Wiley in March and April 2011. I reported some, and by May 2011, Simon Fraser University's Ted Kirkpatrick added more detail on Said and Wegman (2009). Even more detail was added later.

Complainants were told (by Stephen Quigley, with Janet Bailey copied on the exchanges) that if changes were needed to the record, they would be made on the record.

① During 2009-2011, Wegman and his students were found to have been involved in at least 80 pages of obvious copy-paste-trivial-edit plagiarism, including the Wegman Report, 4 PhD dissertations (including Said's), a patent, several talks and 7 articles.

#### COVERAGE OF RETRACTION

① In May 2011, one of these (Said, Wegman, et al) was forced to be retracted by Elsevier over Wegman's objections. That got covered by various reporters who have followed this story and still are:

- USA Today,

[http://www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman\\_n.htm](http://www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman_n.htm)

- Nature, <http://www.nature.com/nature/journal/v473/n7348/full/473419b.html>

- Science (in a profile on me),

<http://www.sciencemag.org/content/332/6035/1250.full>

- Chronicle of Higher Education, <http://chronicle.com/blogs/ticker/journal-retracts-george-mason-u-scholars-critique-of-global-warming/33108>

- RetractionWatch,

<http://retractionwatch.wordpress.com/2011/05/17/controversial-paper-critiquing-climate-change-science-set-to-be-retracted-because-of-plagiarism/>

#### ⑦ WIREs:CS ACTION: QUIET COVER-UP

Although not discovered until March, both papers were quietly revised around January to fix most of the errors identified, add citations and reword the obvious copy-and-paste. There were no retractions or apologies and no one would ever have noticed unless they were monitoring the files. No complainant was ever notified.

Following are backup details:

[1] <http://deepclimate.org/2012/03/16/wiley-coverup-the-great-wegman-and-said-redo-to-remove-plagiarism-and-errors/>

[2] <http://www.desmogblog.com/see-no-evil-george-mason-university> PDF p.25, 35-37. for the emails to Wiley, by date. p.4 shows the known plagiarism chains involving Wegman or his students, starting as early as 1996.

[3]<http://content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1> USA Today

[4] <http://andrewgelman.com/2011/09/another-wegman-plagiarism-copying-without-attribution-and-further-discussion-of-why-scientists-cheat/>

A well-known award-winning Columbia statistician offers an opinion about WIREs:CS.

## MORE PROBLEMS, OR AT LEAST CONCERNS

Although the other WIREs journals seem OK from a cursory look, WIREs:CS had yet more problems.

④ Said gave a false rank and affiliation (Professor, Oklahoma State University). This was reported to Wiley and it took 4 months to get that fixed. One might think that having a junior, non-tenure Research Assistant Professor claim a Professor rank at another school might raise a red flag. [5] <http://www.wiley.com/bw/editors.asp?ref=1939-5108&site=1> on this page, it is still wrong.

③ I have other concerns about quality of peer review and author selection. While many authors seem credible, some seem dubious and some articles seem inappropriate for a review journal.

③ A credible article on statistics of computer performance seemed to get very minimal review, leading one to wonder if it done just by Yasmin Said, quite unqualified on the particular topic. I know the senior author, David Lilja of University of Minnesota.

WIREs:CS covers a huge range of topics, ranging from ones of which I know nothing, to many where I have some experience, to this one, where I've given invited lectures at Stanford, Princeton, Cambridge and other schools. So I \*know\* this article is good, and I think many others are likely good, but I am not sure of some others and I am concerned about the reality of peer review.

③ Either Scott ran peer review (poorly) for the 2 plagiarized articles or else Wegman/Said did and one might think he would have noticed. Scott wrote at least 5 articles (as of last Spring), which seemed OK, but whose reviews (if any) would have been handled by Wegman or Said. It may be just fine for editors to write articles for the journal they edit, but it also might be prone to abuse.

③ A review journal is only useful if one can trust articles to be written by experts, so that a newcomer to a field can trust judgments about importance of topics. Many WIREs:CS articles were written by Wegman+Scott students or colleagues. Those may be fine, or not. For example, Rezazad(2011) was written by a student of Wegman's. His PhD was one of those that contained plagiarism. The article was just a rework of part of his dissertation about network optimization, supposedly creating new algorithms. I used to work at Bell Labs, so have some network experience. I had some reservations about the usefulness, as did some other computer scientists who looked at it. None of this builds trust and it seemed quite inappropriate for a review journal.

## PRINT REFERENCE

'John Wiley & Sons intends to capture this content in a comprehensive print reference work, the Wiley Encyclopedia of Computational Statistics.'  
[http://media.wiley.com/assets/3002/50/WIREs\\_comp\\_stats\\_guide\\_for\\_authors\\_12.10.pdf](http://media.wiley.com/assets/3002/50/WIREs_comp_stats_guide_for_authors_12.10.pdf)

Without a comprehensive review by independent experts, I would have serious concerns about that.

Yasmin Said is listed as Managing Editor, far more junior than the editors of other WIREs journals, and with a well-documented history of plagiarism and error-filled work.

Finally, I note that on 10/28/11, I sent some notes to the 11 members of the Editorial Advisory Board. No one acknowledged it, but at least 5 dropped off the Board, although 6 remain.

You may well hear from a few of the other people involved. We are trying not to flood you with email, but various people have relevant experience or viewpoints for you. Some j (*sic*)

Please take this seriously and act decisively.

⑧ I cannot believe Wiley's handling of this is truly representative of Wiley's publication ethics.' (*entire letter, except for Sincerely & name*)

Meanwhile, Graves was sending email, FAX or physical letters to various senior executives and others on the Board: Linda Katehi, Warren Baker, Jean-Lou Charneau, Bradford Wiley II, Gary Rinck, General Counsel, Peter Booth Wiley (Chr BoD).

I had known about many of them, but had not seen them, so Graves sent me copies 04/02/15.

On **03/27/12**, Graves had been talking to a local friend JH, known to Peter Booth Wiley, who emailed him a short note about the concerns.

‘Peter,

I received a very disturbing telephone call and email from a good friend in Napa regarding your company's online review series edited by Wegman, Said and Scott. <sup>5 6</sup> It seems that Wegman starting in late 2009 through 2011 engaged in extensive plagiarism, which was reported to Wiley in March and April 2011. According to my friend, a Canadian blogger, Deep Climate, found <sup>7</sup> that much of the plagiarisms that Wegman and Said engaged in were revised, but there were no retractions, no announcements, and no notification of complaints made by Wiley. My friend is really upset that this all seemed okay with the Editorial Advisory Board, but hopes that the Wiley Family will issue some kind of statement.

Am I way off base on this? I know what a great reputation Wiley has, and I figured that you've probably already dealt with it. I just wanted to make sure it has come to your attention.

Take care. Thanks.’

On **03/27/12**, the same day, Wiley replied:

‘I’m checking this out, but will be on vacation until next week when I’ll get back to you.

Thanks for the heads up. I hope you are well.’

However, neither Graves nor JH ever heard anything more.<sup>326</sup>

On **03/28/12**, I emailed to Sean Pidgeon, VP and Publisher:

‘Plagiarism by Wegman and Said in WIREs:CS, whose existence I understand to have been your suggestion, from their article "WIREs is Winner" EDITORS ...’

*(The rest is identical to that sent to the nonmanagement directors 03/26/12, from “EDITORS” onward, thus <sup>0 1 1 3 4 5 6 7 8</sup>)*

On **04/02/12**, Graves wrote to the outside board members (Linda Katehi, Warren Baker, Jean-Lou Charneau), this or very similar for others:

‘Dr.Linda Katehi, Ph.D.

University of California

Davis, CA

April 2, 2012

Dear Dr.Katehi:

I am writing to you in your capacity as a member of the board of directors of John Wiley and Sons. As a senior academic with years of service in leadership positions at distinguished institutions, you are surely aware of the central role that academic journals play in the scientific enterprise. <sup>8</sup> John Wiley and Sons is one of the most important publishers of academic journals in the world. I am very concerned as a stockholder that John Wiley and Sons has tolerated a serious breach of the high standards that any academic publisher should adhere to, especially one with such a distinguished history and respected portfolio. As you are no doubt aware, in 2009, Wiley launched a suite of five e-journals under the rubric of WIREs—Wiley Interdisciplinary Reviews; one of these is WIREs-CS, devoted to computational statistics. Its founding editors in chief were Edward Wegman, Yasmin Said and David Scott, all of whom still serve in that capacity, according to the masthead.

<sup>0</sup> Wegman and Said have been at the center of a case of academic misconduct that is especially troubling: plagiarism on a very large scale. <sup>1</sup> The plagiarism has been so blatant as to cause another journal, Computational Statistics and Data Analysis, published by Elsevier, to withdraw a 2008 paper by these authors and two additional co-authors. I direct your attention to the analysis of John Mashey that documents the extent of this misconduct in [See No Evil at George Mason University](http://www.desmogblog.com/see-no-evil-george-mason-university) (available at [www.desmogblog.com/see-no-evil-george-mason-university](http://www.desmogblog.com/see-no-evil-george-mason-university)). <sup>0 1 2 4 5 6</sup>

<sup>326</sup> Wiley Chairman of the BoD was thus aware of the issue quite early, but I only heard about this in April 2015, as we were digging in old emails.

⑦ Further detailed analysis of the extent of cut-and-paste “unattribution” is available at the website Deep Climate, <http://deepclimate.org/2012/03/16/the-great-wegman-and-said-redo-to-remove-plagiarism-and-errors/#more-4501>.<sup>327</sup>

Several questions come to mind:

- 1) Has the Board of Directors been made aware of this misconduct?
- 2) Is the Board aware of Wiley’s stated policies on the resolution of cases of alleged plagiarism by authors submitting papers to Wiley-published journals?
- 3) Is the Board aware that these authors have been allowed to in effect re-do their work after the plagiarism was discovered?<sup>328</sup>
- 4) ⑨ How could the authors be allowed to continue to serve as editors, given the glaring conflict of interest?<sup>329</sup>
- 5) Who sanctioned the “re-do”?

These are not trivial matters. The entire structure of academic research rests on the integrity of published work. In addition, plagiarism may expose Wiley to violation of copyright of the plagiarized material.

The history of John Wiley and Sons is long and distinguished. To allow this level of misconduct in the first place is a failure of policy; to allow the plagiarists to continue as editors and expunge their previous misconduct must have been condoned by someone in Wiley management. I think the entire community of Wiley stakeholders deserves better.

I await your reply.

Sincerely yours,

On 04/03/12, Graves wrote a letter to Bradford Wiley II<sup>330</sup>

‘Mr. Bradford Wiley II  
% John Wiley and Sons  
111 River St.  
Hoboken, NJ 07030

April 3, 2012

Dear Mr. Wiley:

⑧ I can imagine that your involvement with John Wiley and Sons has given you a great deal of satisfaction over the years—especially because of the history of the firm and its distinguished place in American publishing. Academic publishing plays a central role in the advancement of human knowledge and the structure of the peer review process is a key element in that enterprise. I am proud to be a shareholder in the company.

It happens that I am a vintner as you have been, and “truth in labeling” is important for winemaking too. If a bottle of wine is not as represented in terms of vintage, grape content or appellation, it does not just harm those who buy that particular wine—it gives an unfair advantage to that producer over other, honest winemakers, and may harm the reputation of an entire grape-growing region. If the cheating is revealed, that calls into question the integrity of all labels, all winemakers and all wine merchants.

As you know, in 2009 John Wiley and Sons created a suite of interdisciplinary review publications that are e-published---the WIREs. One of these is WIREs CS (computational statistics), and its founding editors in chief were and Edward Wegman, Yasmin Said and David Scott, and according to the masthead they continue to serve in that capacity.

<sup>327</sup> This seems an error, or cited old URL, really DEE2012a

<sup>328</sup> The ability to redo is exactly what Wegman requested of Elsevier for [SAI2008], as shown in [MAS2011a pp.4-10]. Elsevier said No, Wiley said Yes.

<sup>329</sup> Since Wiley had sanctioned a redo, in violation of their own rules, rather than a retraction, there wasn’t much left to do. A year after the first complaint, this is the first question (and it is a question, not a demand) about retention of positions by Wegman and Said. There was no knowledge or discussion of any contract.

<sup>330</sup> Wiley Chairman 1992-2002.

① Wegman and Said have been shown to be plagiarists on a large scale. The extent of this academic misconduct is neither trivial nor excusable—and ⑤⑥ some of the plagiarism was published in the very journal they are supposed to preside over. ① They also published plagiarized work in an Elsevier-published journal, *Computational Statistics and Data Analysis*, work that that journal has since retracted, once the plagiarism was revealed.

I of course have no idea if this matter was brought to the Board’s attention before, but I am writing to make sure it is brought to the Board’s attention now. ①②④⑤⑥⑦ I direct your attention to John Mashey’s magisterial analysis entitled See No Evil at George Mason University, which you can find at [www.desmogblog.com/see-no-evil-george-mason-university](http://www.desmogblog.com/see-no-evil-george-mason-university).

⑦ There is a complementary textual analysis at the website Deep Climate, [www.deepclimate.org/2012/03/16/the-great-Wegman-and-Said-redo-to-remove-plagiarism-and-errors/#more-4501](http://www.deepclimate.org/2012/03/16/the-great-Wegman-and-Said-redo-to-remove-plagiarism-and-errors/#more-4501).

John Wiley and Sons should not harbor plagiarists. In this case, the plagiarism is by the editors—those who are entrusted with guarding against this sort of thing, not committing it. I have no knowledge of who enabled the re-do described in Deep Climate, but if I had mis-represented the contents of a wine bottle the way Wegman and Said have misrepresented their “work”, I would have to answer to the Dept. of the Treasury.

⑧ I am also concerned that John Wiley and Sons may be implicated in violation of copyright by publishing the plagiarized material.

It is ultimately the responsibility of the Board of Directors to safeguard the integrity of John Wiley and Sons on behalf of the shareholders.

Sincerely yours,

On **04/03/12**, Graves wrote a letter to **Gary Rinck**:

Mr. Gary Rinck  
General Counsel  
John Wiley and Sons  
Ill River St.  
Hoboken, NJ 07030  
March 3, 2012

Dear Mr. Rinck:

I enclose copies of two letters: one to Director Bradford Wiley and one that I sent to Directors Chameau, Baker and Katehi. ①②④⑤⑥⑦⑧⑨

⑧ As a shareholder, I regard these matters as potentially very damaging to the good name of John Wiley and Sons, and having unknown consequences regarding copyright issues of the plagiarized material.

Thank you for your attention to this matter; I look forward to learning more about how this breach of corporate policy happened and what the response has been. None of this affair reflects well on Drs. Wegman and Said,

⑧ but there is no reason to allow the Wiley brand to be tarred by their misconduct. ⑦ And how did the "re-do" proceed--who at Wiley approved the extraordinary rewriting and re-publication of such blatant plagiarism? Who knew about the plagiarism and whom did they inform inside Wiley journal division?

Sincerely yours,

David W. Graves’

On 04/03/12, Graves wrote a letter to Peter Booth Wiley<sup>331</sup>

‘Mr. Peter B. Wiley  
Chairman of the Board of Directors  
John Wiley and Sons  
111 River St.  
Hoboken, NJ 07370

April 5, 2012

Dear Mr. Wiley:

I have written to several other directors and to Mr. Rinck and I thought it is appropriate as board chair that you learn of my concerns as well. First, I want to thank you for your service on the board of the University of California Press. I am an admirer of the work of the Press both in book and journal publishing. As I am in the wine business in the Napa Valley, I am especially impressed with the food and wine book offerings and with *Gastronomica*. Our company Saintsbury LLC worked to help underwrite the publication of The Annotated Notes on a Cellar-book, by George Saintsbury with annotation by Thomas Pinney. The ongoing reissue of the California Natural History Guides is of great service to all who love the Golden State, and I have recently had the pleasure of receiving a copy of the excellent Napa Valley Historical Ecology Atlas.

⑧ John Wiley and Sons plays a complementary and central role in the publication of scholarly books and journals and has for a very long time. Therefore, it is very troubling to me as a stockholder of JWA to learn of the collapse of universally accepted standards at a Wiley-published e-journal., WIREs-CS, edited by Edward Wegman, Yasmin Said and David Scott. The process of peer-reviewed publication of scholarly articles is a central way in which human knowledge is advanced. Yet in many ways it relies to a large extent on trust in the integrity of the editorial process. When that process is weakened or subverted, everyone loses—except the perpetrator(s), until the fraud is unmasked.

⑧ Honest authors who have published or have had papers accepted in WIREs-CS are victims because the journal’s reputation suffers, and with it their own and their works’ reputation. Subscribers suffer, both institutional and individual, because they are not getting what they are paying for (starting at \$1400 per year)—and something they may have chosen because of its association with the Wiley name. Who would knowingly pay for regurgitated material purloined without attribution (and sometimes incorrectly) from Wikipedia? What of those authors who have had their copyrighted work used without attribution in a Wiley journal? And finally, all stakeholders in JWA suffer---employees, authors and shareholders---because the JWA name is devalued. ① (I think it is worth pointing out that an Elsevier-published journal, *Computational Statistics and Data Analysis*, flat withdrew a paper containing some of the Wegman-Said plagiarism.)

⑤ ⑥ I wish I were only describing some sort of April Fool’s joke---but the plagiarism happened, and it was perpetrated not by some clever authors on unsuspecting editors, but by two of the editors in chief—Edward Wegman and Yasmin Said, when publishing their own work. ④ (Said even misrepresented her affiliation with Oklahoma State University on the journal’s masthead.)

⑦ And when their fraud was revealed, someone inside Wiley allowed a clumsy “re-do” of their offending work, to “correct” some of the errors it originally contained caused by sloppy copy-and-paste and to remove the offending extensive plagiarism by some pretty lame attempts at citation. Andrew Gelman of Columbia University has written about the case extensively on his blog (go to [www.andrewgelman.com](http://www.andrewgelman.com) and enter “Wegman” as a search term).

⑦ The Canadian blogger Deep Climate ([www.deepclimate.org](http://www.deepclimate.org)) has done excellent detective work, the latest posted on March 16, on the sources used by Edward Wegman and Yasmin Said and the “re-do”, and

① ② ④ ⑤ ⑥ ⑦ John Mashey has written a magisterial and comprehensive account of this travesty ([www.desmogblog/see-no-evil-george-mason-university](http://www.desmogblog/see-no-evil-george-mason-university)).

⑧ John Wiley and Sons as institution has been had. The only people who can remedy this travesty and begin to repair the damage done are the Board of Directors. As a shareholder (through my IRA), I believe strongly that the members of the Board of Directors, especially given the voting structure for election at JWA, have a fiduciary duty to investigate this matter and issue a public report about what happened, why the system did not work, who was responsible and what steps will be taken to ensure it will not happen again. Sincerely yours,’

<sup>331</sup> [en.wikipedia.org/wiki/Peter\\_Booth\\_Wiley](http://en.wikipedia.org/wiki/Peter_Booth_Wiley)

On **04/09/12** I emailed the current (6) and past (5) members of the Editorial Advisory Board:<sup>332</sup>

‘No reply asked, but you should be informed of the situation at Wiley WIREs:CS with Wegman and Said (2011) and Said and Wegman(2009)

For members of  
<http://onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html>  
 with copies to past members.

⑤⑥ Well-documented complaints about two editors' massive plagiarism led to quiet reworks of the 2 articles, but no retractions and no comments to the complainants.

In an online journal, such can be done almost invisibly, noticed only by people quite familiar with the original abstracts who happened to go back and recheck old papers, whose original versions have disappeared.

⑦ <http://deepclimate.org/2012/03/16/wiley-coverup-complete-wegman-and-said-redo-hides-plagiarism-and-errors/>

①②③④⑤⑥⑦ For other background, including the emails with Wiley, see PDF @ <http://www.desmogblog.com/see-no-evil-george-mason-university>

⑤ p.22 overview of Wegman and Said(2011), cyan-highlighted words are copied text, yellow marks trivial changes

⑥ p.23 overview of Said and Wegman (2009)

p.25 summary of emails with Wiley, description of the resulting actions

pp.35-37 details of emails with Wiley

-----Original Message-----‘

*(The 10/28/11 message is attached.)*

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<sup>332</sup> Given the way this was done, one would only notice what happened by this:

- Return to 2009/2011 papers, (which show the original dates), open the abstracts.
- Read the descriptions of updates, which seem fairly modest, but do link to old.
- Get copies of both old and new (presumably editors get them free, others pay.)
- Compare the old and new versions to see the massive rewrites.

The likelihood of Editorial Board members happening to do that seems low.

On 04/09/12 I also emailed (to:

**Edward Wates**, VP and Director, Global Content Management, author of several Wiley policies on retractions, annotated in §R.1 and §R.2.

**Deborah Wiley**, who had been VP Communications

**Susan Spilka**, VP Communications, Deborah Wiley's successor

'Dear Edward Wates, Deborah Wiley, Susan Spilka:

I am sorry to bother you, but you may want to know about the following situation, in light of:

EW: <http://blogs.wiley.com/publishingnews/2009/12/09/maintaining-the-version-of-record-wiley-blackwell-retraction-policy/>

DW: <http://www.wiley.com/WileyCDA/Section/id-410432.html> (given your long interest in copyright)

SS: as SVP Corporate Communications, you will probably have to deal with this.

#### 1. OVERVIEW

⑤⑥- Two of the editors-in-chief of Wiley's WIREs:CS authored 2 seriously-plagiarized/error-filled articles for that journal.

- Either the third editor, a long-time associate of the others, ran peer-review quite poorly or there was no peer review.

- The problems were reported to Wiley a year ago, with detailed documentation.

- This has been known to at least 3 Wiley people (Cassie Strickland, Stephen Quigley, Janet Bailey) for a year.

⑦ - Recently, the 2 online articles were reworked and quietly replaced, with no retractions or apologies, and no notice to complainants of the outcome.

- 2 weeks ago, I sent emails to the Board and several Wiley people. Another person sent letters last week.

- I would not expect an instant resolution, but have yet to receive even an acknowledgment of receipt.

- Hopefully, there soon might be \*some\* indication that Wiley takes seriously massive plagiarism and then cover-up by its own journal's editors.

#### 2. EDITORS

The co-editors-in-chief of Wiley's WIREs:Computational Statistics journal are: Edward J. Wegman, Bernard J. Dunn Professor of Data Sciences and Applied Statistics, George Mason University Yasmin H. Said, Assistant Professor, George Mason University David W. Scott, Noah Harding Professor of Statistics, Rice University

<http://onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html>

Said was Wegman's student, is a frequent co-author of Wegman's and is also listed as WIREs:CS Managing Editor, although she is actually a non-tenure-track Research Assistant Professor, rather more junior than editors of the other WIREs journals, which seem OK. I Scott is a long-time associate of Wegman's. In 2006, they wrote a 91-page report for Congress, of which 35 pages were found (by 2010) to have been mostly plagiarized.

① <http://deepclimate.org/2010/09/26/strange-scholarship-wegman-report/>

① During 2009-2011, Wegman and/or his students were found to have been involved in at least 80 pages of obvious copy-paste-trivial-edit plagiarism, including the Wegman Report, 4 PhD dissertations (including Said's), a patent, several talks and 5 other papers beyond the 2 mentioned next.

3. WIREs:CS: 2 PLAGIARIZED PAPERS AMONG MANY INVOLVING WEGMAN AND SAID Wegman and Said co-wrote papers for WIREs:CS - ⑥ Said and Wegman(2009) and ⑤ Wegman and Said (2011).

Both papers were mostly plagiarized, the first almost entirely from Wikipedia, the second from Wikipedia plus various other sources, although both with errors. The first paper (on a topic familiar to me) was especially error-plagued. These were discovered by several people and I reported them to Wiley in March and April 2011. By May 2011, Simon Fraser University's Ted Kirkpatrick added more detail on Said and Wegman (2009), further expanded by blogger Deep Climate in October.

I originally wrote to Cassie Strickland 03/28/11, got a reply back quickly from Stephen Quigley, with Janet Bailey copied on all exchanges.

I was told that if changes were needed to the record, they would be made on the record, and then later that "it is against Wiley policy to comment on editorial processes to third parties, but, rest assured that any changes to the record will be made on the record."

④ 4. RETRACTION OF ANOTHER PAPER, (Said, Wegman, et al (2008)) from Elsevier's Computational Statistics and Data Analysis (CSDA) In May 2011, one of these was forced to be retracted by Elsevier over Wegman's objections. He just wanted to be allowed to add citations, with no retraction.

That got covered by various reporters who have followed this story and continue to do so:

- USA Today,

[http://www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman\\_n.htm](http://www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman_n.htm)

- Nature, <http://www.nature.com/nature/journal/v473/n7348/full/473419b.html>

- Science (in a profile on me),

<http://www.sciencemag.org/content/332/6035/1250.full>

- Chronicle of Higher Education, <http://chronicle.com/blogs/ticker/journal-retracts-george-mason-u-scholars-critique-of-global-warming/33108>

- RetractionWatch,

<http://retractionwatch.wordpress.com/2011/05/17/controversial-paper-critiquing-climate-change-science-set-to-be-retracted-because-of-plagiarism/>

⑦ 5. WIREs:CS ACTION: QUIET COVER-UP

Both papers were quietly revised in place by February 2012 to fix most of the errors identified, add citations and reword the obvious copy-and-paste.

No complainant was ever notified of any resolution, there were no apologies or retractions of any sort.

The revisions were claimed to be requested by the editors in chief and the publisher, hence Wiley.

The original versions have essentially disappeared, which of course makes a mockery of citations to a journal supposed to be archival.

The net effect was to hide extensive plagiarism from most readers, given the online nature of the journal and zero notification.

The only people who might have noticed this:

- had to be checking the online abstracts of old papers occasionally, not something most would do

- had to be familiar enough with the original abstracts to notice the revisions and then repurchase the papers to see what happened

Blogger Deep Climate happened to do so and discovered what had been done.

6. REFERENCES FOR THE ABOVE

[1] <http://deepclimate.org/2012/03/16/wiley-coverup-the-great-wegman-and-said-redo-to-remove-plagiarism-and-errors/>

[2] <http://www.desmogblog.com/see-no-evil-george-mason-university> PDF p.25, 35-37. for the emails to Wiley, by date. p.4 shows the known plagiarism chains involving Wegman or his students, starting as early as 1996.

[3]<http://content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1> USA Today

[4] <http://andrewgelman.com/2011/09/wiley-wegman-chutzpah-update/> "Wiley Wegman chutzpah update: Now you too can buy a selection of garbled Wikipedia articles, for a mere \$1400-\$2800 per year!"

Andrew Gelman, a well-known Columbia statistician offers opinions, in one of several articles about this.

④ 7. SAID'S FALSE RANK AND AFFILIATION 2009-2011 Said gave a false rank and affiliation (Professor, Oklahoma State University).

One might think that having a very junior, non-tenure-track GMU Research Assistant Professor claim to be a Professor at another school would yield an immediate negative response by the publisher, including an apology to OSU, but instead it was just quietly changed, although it took 4 months for that to happen.

As of -04/08/12, one instance is still wrong:

<http://www.wiley.com/bw/editors.asp?ref=1939-5108&site=1>

③ 8. CONCERNS ON PEER REVIEW AND AUTHOR SELECTION (NOT NECESSARILY MISCONDUCT, MERELY WORRISOME) People have other concerns about quality of peer review and author selection, some of which were mentioned a year ago to Wiley.

While many WIREs:CS authors seem quite credible, some seem dubious and some articles seem inappropriate for a review journal.

Either Scott ran peer review (poorly) for the 2 plagiarized articles or he just let Wegman or Said do it, a poor separation of author/editor roles.

Scott wrote at least 6 articles, which seemed OK, but whose reviews (if any) would have been handled by Wegman or Said.

It may be just fine for editors to write articles for the journal they edit, but it also might be prone to abuse. It certainly does not look good.

A review journal is only useful if one can trust articles to be written by experts, so that a newcomer to a field can trust judgments about importance of topics. Many WIREs:CS articles were written by Wegman+Scott students or colleagues. Those may be fine, or not. Last Spring, I did a quick scan of all the papers already published.(\*). Of 156 papers:

- 4 were by Wegman+Said
- 14 were by other Wegman students
- 8 were by Wegman coauthors
- 6 were by others at George Mason
- 1 was by a Said coauthor

That is 33/156, or 21%, which may be just fine, or it may be high.

6 were by Scott, and 4 more from a student, coauthor or Rice colleague.

That seems more reasonable, but this still totals 25-30% of papers by people closely connected with the editors.

That may or may not be fine.

③ Of more concern, Rezazad(2011) in WIREs:CS was written by a student of Wegman's.(\*). His PhD was one of those that contained plagiarism and thanked Wegman and Said for help. It was on network optimization, supposedly creating novel algorithms. The WIREs:CS article was just a minor edit of a section of his dissertation, never cited. Somehow, a supposedly-novel part of a (non-peer-reviewed) dissertation got published almost unchanged via editors close to him, in a review journal.

I had some reservations about its usefulness in the real world, as did some other computer scientists who looked at it. (Having worked at Bell Labs for 10 years and then 17 years in Silicon Valley computer companies, I have some networking background.)

③ David Lilja of the University of Minnesota was the senior author of a credible WIREs:CS article on statistics of computer performance. He is a serious expert, and I've given invited lectures on this topic at Stanford, Princeton, Cambridge and other schools, so I'm familiar with it as well. I \*know\* Lilja's article is good, and I think many others are likely good. Lilja's article seemed to get very minimal review, leading one to wonder if it done just by Yasmin Said, quite unqualified on the particular topic. Authors of good articles may well not be happy with all this.

Even if most articles are OK, it is very difficult to trust the journal's quality, especially as it covers a vast range of topics beyond the expertise of the Editors and the Advisory Board, all statisticians. WIREs:CS has seemed to want to subsume large parts of computer science and operations research, but with articles of uncertain quality.

① The retracted CSDA paper was reviewed only by Wegman's CSDA E-I-C Stanley Azen, an old friend of Wegman's with no experience in the paper's topic.

He accepted it in a week and thus published something not only plagiarized but technically bad enough to be panned by experts.

Similar, but worse behavior seems present in WIREs:CS. It seems a weird mixture of credible articles by experts, combined with any easy way for Wegman and associates to publish "peer-reviewed" articles without much real peer review.

#### PRINT REFERENCE

'John Wiley & Sons intends to capture this content in a comprehensive print reference work, the Wiley Encyclopedia of Computational Statistics.'

[http://media.wiley.com/assets/3002/50/WIREs\\_comp\\_stats\\_guide\\_for\\_authors\\_12.10.pdf](http://media.wiley.com/assets/3002/50/WIREs_comp_stats_guide_for_authors_12.10.pdf)

⑧ Without a comprehensive review by independent experts, I think Wiley should have serious concerns about that.

#### CURRENT STATUS

About 2 weeks ago, I emailed similar notes to Peter Wiley, Sean Pidgeon and the non-management Board.

Last week, another person emailed or sent letters to the Board and also copied Gary Rinck.

Sincerely,

John Mashey, PhD (Computer Science), past VP & Chief Scientist, Silicon Graphics.  
Portola Valley, CA

(\*) If they are of use, I have a spreadsheet that lists the WIREs:CS articles and identifies relationships.

I also have the comparison of Rezazad(2011) and his dissertation.'

**Q.4 Another stonewall and then a big surprise****Q.4.1 2012.04.17 Contact with Helen Bray, Wiley UK**

On 04/17/12, Helen Bray, Wiley Director of Communications emailed me.

Presumably this was in response to my email to Spilka.<sup>333</sup>

**It was the first Wiley communication to me since Quigley 09/15/11.**

Thus there was a 7-month gap.

‘Dear John Mashey

Thank you for your correspondence concerning two articles in WIREs Computational Statistics.

When concerns were first raised in 2011, we carried out an investigation and 5 6 found that some of the citations to sources could have been made more clearly.<sup>334</sup> 7 The review articles concerned were revised with a clear accompanying statement to note the revisions. For the avoidance of doubt, we are reviewing the articles again for originality and scientific soundness. If deemed necessary, we will further clarify our position and will take corrective action in accordance with our explicit publishing standards.

We will write to you again with the outcome of the reviews.

Sincerely  
Helen Bray

Helen Bray | Director of Communication| Wiley-Blackwell John Wiley & Sons, The Atrium, Southern Gate, Chichester PO19 8SQ, England’

On 04/17/12, Bray sent a similar email to Graves as well, but citing a different route, via Rinck.

‘Dear David Graves,

Thank you for your correspondence copied to Gary Rinck concerning WIREs Computational Statistics.

When concerns were first raised about two articles in 2011, we carried out an investigation and 5 6 found that some of the citations to sources could have been made more clearly. 7 The review articles concerned were revised with a clear accompanying statement to note the revisions. For the avoidance of doubt, we are reviewing the articles again for originality and scientific soundness. If deemed necessary, we will further clarify our position and will take corrective action in accordance with our explicit publishing standards. We will write to you again with the outcome of the reviews.

Sincerely  
Helen Bray

<sup>333</sup> <https://uk.linkedin.com/pub/helen-bray/4/549/a64>

Bray likely reported to Spilka, who had been included in my 04/09/12 email.

<sup>334</sup> Readers may review the alleged plagiarism side-by-sides by DC in DEE2011b and DEE2011h and compare with Bray’s description.

On 04/17/12, I replied to Bray

‘Dear Helen Bray:

Thank you for your response, which is the only one I've gotten - I sympathize with fact that you now seem to own a serious problem you didn't create.

If you have not already done so, you may want to read: [0 1 2 4 5 6 7](http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no_.evil__0.pdf)  
[http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no\\_.evil\\_\\_0.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no_.evil__0.pdf)

pp.22-23 thumbnails of the side-by-side analyses, with cyan highlights for copy-paste, yellow for trivial changes, which generally account for more than half the text, generally uncited.

In particular, p.23 shows the original Said & Wegman(2009), almost entirely derived from Wikipedia pages with no attribution.

pp.25,35-37 details of exchanges with Wiley, link to the discovery of the revised articles.

Can you say when I should expect the results of the review?

Sincerely,  
 John Mashey

On 04/24/12 I emailed Chris Graf:<sup>335</sup>

**‘Sorry to bother you, but I was looking at COPE, saw you were member of Wiley-Blackwell Publication Ethics Group ... and I think Wiley has a problem**

5 6 Ed Wegman and Yasmin Said published 2 massively- and obviously-plagiarized articles in journal they edit for Wiley, WIREs:CS.

7 A year-ago complaint finally produced a quiet cover-up in February, apparently with Wiley's cooperation.

Recent detailed complaints to Wiley have generated minimal responses, none of which give much confidence that this is being taken seriously.

During late March and early April, the following have been notified, with details:

Wiley Board, Sean Pidgeon, Gary Rinck, Edward Wates, Deborah Wiley, Susan Spilka, WIREs:CS Editorial Advisory Board, plus Linda Gough of COPE.

A week ago, I finally did get a short note back from Helen Bray, apparently in response to this one:

-----Original Message-----

From: John R. Mashey

Sent: Monday, April 09, 2012 10:19 PM

*(copy of message to E Wates, D E Wiley, S Spilka)* [0](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#)

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<sup>335</sup> At the time, I think he was COPE Treasurer, and still is:  
[publicationethics.org/about/council](http://publicationethics.org/about/council)

On **04/26/12** Graves emailed to **Bray**:

Dear Ms. Bray:

Last week you sent me a reply to my queries about the plagiarism crisis at WIREs CS and the so-far inadequate response by Wiley. In the meantime, the Faculty Advisory Council of the Harvard University Library has issued a call for members of the Harvard community to push back against the business model of for-profit academic publishers.

⑧ While WIREs CS "only" costs subscribing institutions less than \$5000 per year so far as I can tell, the content of the journal is tainted by the plagiarism of its editors, and this in turn gives ammunition to the protests of academic libraries all over the world who believe they are being ripped off. With the dubious content of WIREs CS, and the lack of accountability of Wiley's management in the face of evidence of widespread wrongdoing at the journal, who is to gainsay them?

Finally, with all due respect, it appears from your title that your area of responsibility at Wiley is marketing and PR. This is not a matter that calls for spin and damage control. As a shareholder, I expect better. At the least, please ask someone in senior management to reply to the substance of my latest query about who is conducting the inquiry and when a report might be released.

Sincerely,

David Graves

On **05/09/12** Graves emailed to **Bray**:

Dear Ms. Bray:

I have twice asked you for clarification of your nebulous and uninformative reply to my questions about Wiley's response to the plagiarism crisis at WIREs CS. Wiley has not even acknowledged receipt of my inquiry.

⑧ This inaction and opacity is not an appropriate response to a legitimate concern to all Wiley shareholders.

Sincerely,

David Graves'

He got an "out-of-office May 7- May 11" reply, thus expecting that Monday May 14 would be the next work day ... but no reply came for 5 weeks after that, on June 21.

On **06/13/12** Graves emailed to **Bray**:

Dear Ms. Bray:

I had expected to hear something more than an out-of-office reply by now.

⑧ The matter of plagiarism has serious consequences for the reputation of John Wiley and Sons. The extent and brazenness of the dishonesty of Wegman and Said is beyond question. The only question now is what does Wiley intend to do to rescue to rescue its reputation as a scholarly publisher of the first rank? The whole business model of the company rests on the integrity of those whose work goes out to the world with a Wiley imprint. Wegman's and Said's actions represent an assault on the interests of all stakeholders--employees, shareholders, editors, authors and readers.

⑧ What is going on here? I repeat, who is investigating this matter? When will they report their findings and recommendations for sanctions? Who will act on those recommendations? The court of public opinion will not treat dissimulation kindly. Spin and damage control have no place here.

Sincerely,

David Graves

On **06/18/12** I emailed the 12 editors of other WIREs journals<sup>336</sup> who had public emails:<sup>337</sup>

**§D.4 WILEY 0005-6 shows that at least one forwarded it to Wiley, with redacted comments, as Katehi did with 03/22/15 note.**

Others may have, as Wiley missed many emails in its search.

Mike Hulme  
 Alexej Verkhatsky  
 Shankar Subramaniam  
 Lynn Nadel  
 Witold Pedrycz  
 James R. Baker, Jr  
 Peter R. Schreiner  
 John C. Gerhart  
 Eric F. Wieschaus  
 Jeffrey Wilusz  
 Peter Lundi  
 John Byrne

'Dear WIREs Editors:

⑧ This is just FYI, no action or reply needed, just an alert for an impending issue that is not really yours, but caused by Wiley and your sibling journal, WIREs: Computational Statistics, for whom I expect there may be some serious negative publicity in the near future. I assure you it is not aimed at WIREs in general.

I have never seen two Editors-in-Chief ⑤ ⑥ write heavily-plagiarized articles for their own journal, ① have a paper retracted elsewhere for plagiarism, and ⑦ still be allowed to quietly revise the papers and ⑨ continue as Editors-in-Chief.

⑧ I cannot believe this is typical of WIREs and Wiley policy, but it is certainly astonishing.

⑤ ⑥ WIREs:CS is Co-edited by Edward Wegman, Yasmin Said and David Scott.

Wegman and Said wrote articles in 2009 and 2011 for WIREs:CS, both massively plagiarized from various sources, including Wikipedia, although often with errors.

<sup>336</sup> [wires.wiley.com/WileyCDA](http://wires.wiley.com/WileyCDA)

<sup>337</sup> I had checked the WIREs journals a year before, to see if WIREs:CS was typical or an outlier. In general, the editors seemed well-published senior scientists, exactly the sort of people one would expect. *Said was an outlier.* I expected no replies and got none, so have no idea if this had any effect.

All this was reported to Wiley March-May 2011. They quickly settled into a routine of saying "If corrections need to be made to the record, they will be made on the record" and little more.

① In May 2011, Computational Statistics and Data Analysis retracted an article by Said, Wegman, et al for plagiarism.

The affiliation was finally fixed in September 2011. There were no retraction notices.

⑦ Wiley let Wegman and Said quietly revise the online articles ~February 2012, rewording the obvious plagiarism, fixing some of the errors, and adding citations.

No complainants were notified, and this was noticed only because someone else happened to be checking the articles.

Starting 3 months ago, two of us have been writing the Wiley Board and relevant Wiley executives {Sean Pidgeon, Gary Rinck, Edward Wates, Susan Spilka.) So far, we have gotten exactly one short message back from a public relations person (Helen Bray) saying that they would review this, but when ⑦ Wiley looked last year, they just thought "some of the citations to sources could have been made more clearly." That was 2 months ago, and since then Wiley has been silent.

For whatever reason, it seems clear that Wiley has avoided taking this seriously for 15 months, so we're about to give up trying with them and instead will soon start talking to journalist friends and see what happens.

If for some reason you want to see more, it is well-documented:

① ② ④ ⑤ ⑥ ⑦

[http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no\\_.evil\\_.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no_.evil_.pdf)

pp.22-23 has thumbnails of the papers published in WIREs:CS, where word-for-word identical text is highlighted cyan, trivial edits in yellow, with their paper on left, and original sources on right of each pair. A glance suffices to show that the papers are mostly copy-paste plagiarized.

p.25 summarizes the 2011 email conversations with Wiley, and the discovery of the revised papers.

pp.35-37 has the details.

⑦ <http://deepclimate.org/2012/03/16/wiley-coverup-complete-wegman-and-said-redo-hides-plagiarism-and-errors/> has the details about the revisions.

Sincerely,

John R. Mashey, PhD

Portola Valley, CA

On 06/21/12, Bray sent similar emails to Graves and me:

‘Dear John Mashey

We promised to write to you with the outcome of the independent reviews of the relevant articles.

Wiley takes very seriously any allegations of plagiarism and other publishing misconduct.

When we received complaints about two review articles in WIREs Computational Statistics; (Color Theory and Design, and Roadmap for Optimization), **5 6 we investigated and the results of the investigation were that a number of secondary sources used in the reviews could have been cited more clearly, but that there was no evidence of intention to deceive in relation to the use of such sources.** It was therefore decided that this was a case where the articles could be corrected rather than retracted, following COPE guidance on dealing with suspected plagiarism. The articles were corrected, and revised versions were published with a statement that they had been revised to include additional citations and links.<sup>338</sup>

As a result of concern raised by you and others, we commissioned an independent review of each of the articles, in both original and revised form, by an expert in the field. **6 The reviewer of Roadmap for Optimization concluded that there was no great overlap of the original article with other sources and that some of the critical comments made about the article were exaggerated.** **5** The reviewer of Color Theory and Design referred to use of other sources in the original article but noted that, as a review article, it provided an overview of widely known basic science drawn not from the primary literature but from secondary and tertiary descriptive sources. **7** Both reviewers confirmed that the revised articles provide adequate attribution of sources.

**5 6 7 Wiley is not intending to take any further steps in relation to the revised articles which remain on the record.**

We are taking steps to ensure that the content of the journal remains of an appropriate standard of academic integrity and scholarship and we are strengthening the editorial structure of the journal.

Sincerely  
Helen Bray

Helen Bray  
Director Communication & Branding  
Scientific, Technical, Medical and Scholarly

At this point, all possible avenues seemed exhausted. It certainly seemed that nothing Graves or I had done had the slightest effect.

After September 2011 only Helen Bray communicated, and by her, Wiley: **5 6** rejected all allegations of plagiarism and **7** considered the massive revisions quite acceptable.<sup>339</sup>

Wiley had not had the courtesy to inform anyone explicitly, and had done the revisions in an unusually obscure way, §Q.3

The revised papers remain in place.

To date, 05/11/15, Wiley has remained silent.

Wegman, Said and their lawyer Johns reiterate claim that they have never plagiarized nor published plagiarized material.

Compare this with Wiley’s procedures §R.1, §R.2 and §R.3 and as seen also in [DEE2012a].

However, since Bray had mentioned COPE guidance, §S, it was suggested I at least tell COPE, so I did, next.

<sup>339</sup> I would guess that DC would offer copies of the side-by-side comparisons for Wiley to incorporate into their published materials, explaining that these are not plagiarism, and anyone publishing such in a Wiley journal will be given the same chance to perform massive rewrites if someone notices. This would help prospective authors understand Wiley’s boundary for plagiarism.

<sup>338</sup> So, why did they not have the courtesy to inform complainants then?

On **06/22/12** I emailed COPE again:

'Dear Ms Wager:

(Dan Vergano of USA Today suggested I mention this to you. COPE is mentioned by Wiley, so this is mostly a headsup for you, as I'll be talking to journalists, and they may contact you.)

I understand that COPE is not particularly set up for this, and the Wiley WIREs:CS journal is not itself a member, but I note that Wiley seems involved with COPE.

1) Yasmin Said and Edward Wegman are Co-editors-in-Chief of Wiley WIREs: Computational Statistics.

① May 2011, Elsevier forced a retraction of an article of theirs for plagiarism in another journal. ② In fact, there turns out to be a long history of such, well-documented to include 80+ pages in a report to Congress, 4 PhD dissertations (including Said's), 7 articles, a patent.

The background is at: ③④⑤⑥⑦

<http://www.desmogblog.com/see-no-evil-george-mason-university> blog post that links to the full report:

[http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no.\\_evil\\_\\_1.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no._evil__1.pdf)

2) May-June 2011, several of us reported massive plagiarism in 2 articles they wrote for their own WIREs:CS journal.

⑥⑤ One of the articles was almost entirely constructed of stitched-together Wikipedia pages, with no attribution and often injection of silly errors. The basic tactic was copy-paste-edit, with no attribution to Wikipedia, removal of most citations, but inclusion of many in a "further reading" list, i.e., an undergraduate tactic. The other article has a more complex history.

[http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no.\\_evil\\_\\_wiley\\_\\_0.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/see.no._evil__wiley__0.pdf) is the 8-page extract of the above that covers the Wiley part.

The simplest way to see this is to open that PDF, glance at the second page (labeled 6) which illustrates the side-by-side presentation I used, which highlights identical text in cyan, with trivial changes in yellow.

The next two pages (22,23) summarize the two articles, with thumbnails of side-by-side comparisons ... basically, the articles are more than half cyan, plus another ~20-30% yellow. Links are given to the full PDFs that show the analysis by a colleague, Canadian blogger "Deep Climate."

⑥ <http://deepclimate.files.wordpress.com/2011/10/said-wegman-2009-suboptimal-scholarship-v12.pdf> for example, for p.23 is the one mostly from Wikipedia.

The remaining 4 pages show the history of interactions with Wiley through 03/16/12.

I had also mentioned this to Linda Gough @ COPE last Fall, but she noted that COPE wasn't really set up to deal with such things.

⑦ 3) Wiley basically let them quietly revise the online articles to rework the most obvious copy-paste, fix some of the errors, and insert citations. They did not inform complainants, there were no retractions.

4) Two of us spent the last 3 months writing to the Wiley Board, executives, etc repeatedly, getting no replies, except a quick note from Helen Bray in UK.

5) Finally, we just got email from her, telling us they'd reviewed all this and it was just fine and ⑧ they'd followed COPE guidance: *(copy of 06/21/12 letter)*

I got an immediate and courteous reply from Liz Wager, whose term at COPE had ended, but she promised to forward it. As noted earlier, I understood that they could do little, but since they were mentioned by Wiley, it seemed they should know about this.

I then worked on [MAS2012c] with recent FOIA replies, having lost all hope that Wegman, Said and Wiley would retract the paper with minimal comment,<sup>340</sup> much less admit to plagiarism

Given Wiley's seeming determination to protect Wegman and Said indefinitely, what happened next was a total surprise.

Once again, it was done quietly, and nobody noticed for several weeks.

<sup>340</sup> When this started, they could have withdrawn the papers, pleading carelessness.

**Q.4.2 2012.06.26 Surprise disappearances and continued stonewall**

No later than **06/26/12**, Wegman and Said had silently disappeared from the masthead, leaving only Scott, although it took a few weeks to notice. On **07/13/12**, DC published [DEE2012b] quiet departure as well as Said's disappearance from the online directory at GMU.

The January revisions **7** were strong **implicit** admissions of credibility of the **5** **6** plagiarism allegations, and the June termination was **implicit admission** of reason for termination with "just cause." Wiley would not have wanted a wrongful termination/breach of contract. But Wiley had gotten no new information for months and Helen Bray kept telling us there had been no plagiarism. **Wiley was clearly not listening to Graves and I.**

Perhaps one or more of the other WIREs Editors got concerned, as this was a possible reputational issue for them. All this was covered in *USA Today* [VER2011b] and widely blogged, including by Columbia statistician Andrew Gelman. Nobody told me they were going to write to Wiley, but perhaps statisticians or others got concerned enough to do so. Perhaps the key evidence finally percolated high enough in Wiley. **Only Wiley knows what finally triggered the dismissals. If the lawsuits had gone to trial, we might have learned.**

In a very few cases, late in the process, we expressed surprise that such Editors-in-Chief could be allowed to stay, but as seen in §Q, the main objective was to get Wiley to recognize the problems and fix them.

- Retract the papers. It is incredibly rare for Editors to have to retract papers they write for their own journals, but it has happened.
  - Explain how they would repair the editorial processes.<sup>341</sup>
- Few expect perfection, but do want problems to be recognized and fixed.

<sup>341</sup> [retractionwatch.com/?s=plagiarism](http://retractionwatch.com/?s=plagiarism) is instructive.

Some organizations actually mean what they say about plagiarism, investigate seriously and openly, publish the results and write clear retractions. Others are completely unwilling to do so. Elsevier acted promptly within its procedures, and mandated a retraction for about 1.5 pages. Wiley managed to avoid doing that for 2 articles copy-paste-edited from many sources, including many from *Wikipedia*.

**On 07/02/12, Graves emailed Bray:**

'Ms. Bray:

I have read your reply in some detail, and I find it raises more questions than it answers--and subsequent events sharpen the focus.

- 1) You state "we investigated"-- who inside Wiley was in charge? When did the investigation commence? Who was the the actual investigator? What are the investigator's credentials?
  - 2) Your message jumps to the results--but any investigation is only as good as the evidence gathered. The "Deep Climate" analysis is readily available to anyone who cares to look, and clearly refutes the notion that Wegman and Said just needed to be a little more thorough in their citations. Andrew Gelman at Columbia has also done a through dissection of the shamefully bad work of Wegman and Said. If the "investigator" can refute these analyses, the burden of proof lies with him or her and Wiley.
  - 3) You refer to "an independent review" by "an expert in the field" for the two articles. What are the qualifications of each? What are their respective areas of expertise? Which journals have they reviewed for or edited? Did they examine the evidence I refried to above? Can they refute it in detail?
  - 4) Elsevier came to very different conclusion, but then Wegman and Said are not editors-in-chief for Elsevier. But now we discover that as of last week, nether are Wegman and Said editors-in-chief any longer for Wiley. Surely you do not expect me to believe their departure is a coincidence, given what the publicly available analysis of their plagiarism has revealed.
  - 5) The "Author Services" on Wiley's website states that authors "must be given a chance to respond." Were Wegman and Said afforded the opportunity? You make no reference to this in your message. If so, what was their response?
  - 8 The continued lack of transparency by Wiley management is not acceptable to me, nor should it be to anyone who cares about the integrity of scholarship. (I attach this link from Wiley's own website, in the section "Wiley-Blackwell Author Services". FAQ's 20 and 21 outline Wiley's policy regarding plagiarism <[http://authorservices.wiley.com/bauthor/faqs\\_copyright.asp#1.20](http://authorservices.wiley.com/bauthor/faqs_copyright.asp#1.20)>)
  - 8 The only conclusion I can come to is that senior management is unwilling to confront the fact that editors of a Wiley publication are serial plagiarizers. The so-called "investigation" seems to be a sham, and seems simply a means to sweep this matter under the rug. Wiley shareholders like me deserve better, an so does the community of scholars, including those who publish in Wiley's journals, those who read the journals and the institutions who now must question the quality of Wiley's (very expensive) journals.
- Sincerely,  
David Graves'

On **07/30/12**, Graves emailed Bray one more time:

'I have as yet not received even an acknowledgement of your receipt of my earlier message after nearly a month. I am baffled by the response of management to this very serious situation. The gravity of this plagiarism requires a substantive response at the highest level.

⑧ Does Wiley want to be seen as in damage-control mode when the facts require credible and transparent action, not words? Your silence leaves me no choice but to seek other avenues to expose this misconduct, both by Wegman and Said but also by the seemingly complicit response. One is tempted to speculate that Wiley has been somehow been intimidated by Wegman and/or Said.

On **07/31/12**, Bray replied to Graves:

'Dear David Graves

We have taken the allegations of plagiarism very seriously.

⑤⑥ We carried out an initial investigation in 2011 and a subsequent independent review of each of the two articles earlier this year when concerns continued to be raised. Both reviewers confirmed that the revised articles provide adequate attribution of sources. As is common in peer review, the reviewers will not be identified. ⑤⑥⑦ Wiley is not intending to take any further steps in relation to the revised articles which remain on the record with a note of the correction made by erratum clearly marked for readers.

Sincerely  
Helen Bray'

*That makes little sense.* If Wiley recognized plagiarism, retraction was required, not massive rewrites that normal authors would not be allowed. If Wiley thought there was no plagiarism, why were there rewrites? Why were Wegman and Said forced to resign?

Did allegations against the WR cause that?

Or did the Wiley-relevant problems ④⑤⑥⑦, of which either ⑤ or ⑥ were easily causes for termination, §D.1?

On **08/17/12**, [Graves tried again](#) with the nonmanagement directors:

⑧ ‘I am a Wiley shareholder, and have already written to several of you regarding this serious breach of the most basic standards of academic publishing--that the work is in fact that of the authors, and that any supporting scholarship be properly cited. For your reference, here is Wiley's admonition to authors: <http://www.wiley.com/WileyCDA/Section/id-301884.html> . That the work in question is from the editors of a Wiley journal, not simply authors, should have raised alarms as soon as management became aware of it. For those of you who are academics, a student who committed this shameless level of plagiarism would face severe sanctions, perhaps even expulsion. I cannot believe you have been exposed by Wiley management to the extent of this travesty, please look at the link here: ⑦ <http://deepclimate.org/2012/07/13/wegman-and-said-leave-wiley-journal-and-said-disappears-from-gmu/#more-4869>>

If I am reading Ms. Bray's reply on behalf of management correctly, this matter does not seem to have risen to a level requiring serious concerted action. Yet the offending behavior goes to the very heart of the integrity of the entire academic enterprise.

⑧ ‘You have the power to retain your own resources and not rely on management to "do the right thing"--which by my lights they seem incapable of doing or unwilling to do. You are the last line of defense against this sham. Hire counsel, hire investigators, retain consultants, but do something---because the present course represents a disaster for Wiley and a threat a your own reputations.

Sincerely yours,  
David W. Graves

*(Forwarded '07/31/12 Bray reply.)*

On **08/22/12**, [Graves emailed](#):

‘**To:** Directors, Non-Management; Preston, Michael - Hoboken

‘**Subject:** Fw: Ed Wegman and Yasmin Said articles in journal WIREs:CS.

I sent this message last Friday, and I would appreciate acknowledgement of its receipt by the non-management directors, or an explanation of why it was not communicated to them. ⑧ ‘As a shareholder, I view this matter as within their purview and responsibility as fiduciaries.

Thank you.

David W. Graves’

*(included 08/17/12 message)*

On **09/13/12**, [Michael Preston replied](#):

‘This message has been received and communicated to the non-management directors according to our internal procedures.

Michael L. Preston I Corporate Secretary I John Wiley & Sons, Inc. I 111 River Street, Hoboken, NJ 07030 ‘

On that note, all avenues had been exhausted.

All this can be compared with Wiley’s published policies on plagiarism and retraction, next.

**Q.5 Unresolved concerns on editorial process or peer review**

Concern ③ addresses issues of process and peer review.

The original WIREs:CS authors guide<sup>342</sup> was clear.

The 03/05/08 Guide for Authors, p.2 showed:<sup>343</sup>

‘Dr. Yasmin H. Said  
Co-Editor in Chief and **Managing Editor**’

**p.8** ‘The manuscript you submit should be the final version that you wish to be sent for **peer review**.’

**p.12** Articles **commissioned** for *WIREs: Computational Statistics* will be submitted and **peer-reviewed**... In order to facilitate the **peer review** process, at the time you submit your manuscript, please be sure to enter the names and email addresses of 4–5 potential reviewers who are familiar with the topic.’

Wiley’s As a WIREs Author<sup>344</sup> claims:

‘Your review will be published alongside other world-class contributions from leading researchers in the field.

All WIREs article topics and authors are selected by an internationally renowned Editorial Board, and **all content is rigorously peer reviewed by experts**.

Your article will have broad visibility and usage.

Wiley Online Library, Wiley’s next-generation content platform, delivers access to over 4 million articles from 1,500 journals to a global audience of 16 million scientists, researchers, and scholars, with millions of downloads per month.

Additionally, Wiley participates in the Research4Life initiative, which provides people at more than 7,700 institutions in the developing world with free or low cost access to scientific content.

Your review will attract full scientific and professional credit.

**The WIREs are serial publications that qualify for full Abstracting and Indexing and an Impact Factor/TRSI Ranking.**

<sup>342</sup> [www.webcitation.org/6Xukponfn](http://www.webcitation.org/6Xukponfn) Cassie Strickland, Assoc, Editor, Yasmin Said, Co-Editor in Chief and Managing Editor

<sup>343</sup> [MAS2013f p.42]

[media.wiley.com/assets/2205/94/WIREs\\_comp\\_stats\\_author\\_guide.pdf](http://media.wiley.com/assets/2205/94/WIREs_comp_stats_author_guide.pdf)

[www.webcitation.org/5xyt55RyU](http://www.webcitation.org/5xyt55RyU)

<sup>344</sup> [wires.wiley.com/WileyCDA/Section/id-398153.html](http://wires.wiley.com/WileyCDA/Section/id-398153.html)

**§Q.1.1** 04/24/11 raised peer review issues that have yet to be given any formal resolution. Some papers may have been peer reviewed, others may have gotten competent editorial review, but it seems quite possible that many invited papers got nothing but a quick look from Yasmin Said.

**There is no way for an outsider to know, and that is the problem.** Academics usually distinguish the cases.

It is clear that [SAI2009, WEG2011] were not rigorously peer-reviewed by anyone competent, if at all, even ignoring the plagiarism.

As discussed in [DEE2010p], shown in side-by-side comparison<sup>345</sup> Rezazad’s PhD dissertation [REZ2009] re-used SNA text like that in WR and [SAI2008], which originated in copyrighted books.

[REZ2011] is another clear example of broken editorial process, because it was mostly a re-use of [REZ2009] relabeled as an “Advanced Review,” but seemed like an easy way to get a “peer-reviewed journal paper” for a past student. Fortunately, it did not re-use any of the copyrighted material.

However, as shown in a later analysis,<sup>346</sup> [REZ2009] had 72 references, but only 23 (32%) were cited, raising concerns about potential “bibliography-padding.” [REZ2011]’s References and Further Reading in together are essentially identical to the list in [REZ2009].

[REZ2009] included substantial SNA content, and the references carried over into [REZ2011], although it barely mentioned SNA.

In both cases, the famous text Wasserman and Faust(1994), one of the books plagiarized, was mis-cited as Wasserman and Faust(1999).

Whatever else this may be, it does not seem like competent review.

Depending on people’s views of unattributed self-plagiarism, [REZ2011] may not rise to plagiarism, but it still raises doubts about review quality. It should have been sent to competent external network researchers. *Was it?*

<sup>345</sup> <https://deepclimate.files.wordpress.com/2010/09/rezazad-wegman-social-network.pdf>

<sup>346</sup> [www.desmogblog.com/sites/beta.desmogblog.com/files/strange.scholarship.W.5.10.pdf](http://www.desmogblog.com/sites/beta.desmogblog.com/files/strange.scholarship.W.5.10.pdf) This is a 2011 addition to [MAS2010a], part of a possible future update within the same structure.

## R. Sample of Wiley documents on complaints or retractions

### R.1 2007.07.27 Policy on Retraction of Articles ...

Edward Wates

*Vice President & Director, Global Journals Content Management*

#### 'Policy on Retraction of Articles and Post-publication Changes to the Online Record'<sup>347</sup>

##### **Introduction**

It is not uncommon to receive requests from authors or editors to alter the content of an article once it has been published online, either as a result of an infringement or as a result of changes that have been identified after proof correction has been carried out. The following notes outline Blackwell Publishing's policy in this respect.

The Company attaches the highest importance to maintaining trust in the authority of its electronic archive and of the journals that reside there. Changes to articles once published can therefore only be made under strictly limited circumstances, outlined in the sections below. This policy is based on current best practice in the scholarly and library communities (see, for example, Elsevier's policy at: <http://www.info.sciencedirect.com/buying/policies/withdrawal/>).

##### **Errors in articles**

Articles that have been published shall remain extant, exact and unaltered as far as is possible. Any corrections or amendments to an article following publication in print should be made by means of an erratum. This can be linked to the primary article in the online version of the journal.

##### **Infringements**

It is Blackwell policy strongly to discourage withdrawal of an article in line with standard industry practice (see, for example, 2006-04:STM Guidelines on Preserving the Record of Science).

However, very occasionally circumstances may arise where an article is published that must later be retracted or even removed. The practice of removal, deletion or obscuring of an article or portion thereof should be limited to circumstances such as:

- Infringements of professional ethical codes, such as multiple submission, bogus claims of authorship, plagiarism, fraudulent use of data and the like;
- Legal infringements, defamation or other legal limitations; and
- False or inaccurate data, especially those that if acted upon could pose a serious health risk.

Even in these circumstances, bibliographic information about the removed article should be retained for the scientific record, and an explanation given, however, brief, about the circumstances of its removal.

##### **Retractions**

For most cases of infringement listed above, Blackwell recommends linking a retraction statement to the article in question, while retaining the article as first published. (This policy has been adopted by *Science*, for example, in the case of the original articles published by Woo Suk Hwang. For further information, see: <http://www.sciencemag.org/cgi/content/abstract/sci;303/5664/1669>).

If the Editor of the journal believes there are irregularities with the content of the article then it is at the Editor's discretion to print an appropriate statement in the journal. This can only take place after full investigation of the incident has taken place and the nature of the irregularity established beyond all reasonable doubt. Blackwell Publishing is happy to provide support and advice in such cases.

Once an Editor has established the facts of the case, the following procedure should be adopted:<sup>348</sup>

- The retraction will appear on a numbered page in a prominent section of the journal.
- The retraction will be listed in the contents page, and the title of the original Article will be included in its heading.
- The retraction must be signed by one of the following: the author, the author's legal counsel, the author's sponsoring institution, or the editor of the journal.
- The text of the retraction should explain why the Article is being retracted.
- The statement of retraction and the original Article must be clearly linked in the electronic database so that the retraction will always be apparent to anyone who comes across the original Article.

##### **1. Related posts:**

2. [Maintaining the Version of Record: Wiley-Blackwell Retraction Policy](#)
3. [The Retraction of an Article](#)
4. [Blackwell Introduces New Copyright and Author Self-archiving Policy](#)
5. [Retractions in Wiley-Blackwell Journals](#)
6. [First Online Open Articles Published](#)

<sup>347</sup> [exchanges.wiley.com/blog/2007/02/27/policy-on-retraction-of-articles-and-post-publication-changes-to-the-online-record](http://exchanges.wiley.com/blog/2007/02/27/policy-on-retraction-of-articles-and-post-publication-changes-to-the-online-record)

<sup>348</sup> One can see why Wegman and Said did not want a retraction.

## R.2 2009.02.27 Maintaining the Version of Record: ...

Edward Wates

*Vice President & Director, Global Journals Content Management*

‘Maintaining the Version of Record: Wiley-Blackwell Retraction Policy’<sup>349</sup>

### Background

Fuelled by some recent high-profile cases (see <http://www.sciencemag.org/cgi/content/abstract/sci;303/5664/1669>), much media attention has been focused on the issue of plagiarism and other cases of infringement. The widespread availability of academic articles on the Internet has made identification easier; while products such as CrossCheck (see <http://www.jp.blackwellpublishing.com/bw/journalnews/newsitem.asp?release=2348>) have been developed to assist editors identify potential infringements.

Wiley-Blackwell have produced their own guidelines on publication ethics (see <http://www.wiley.com/bw/publicationethics/>), while their retraction policy is in line with the STM Association guidelines on maintaining the integrity of the version of record (see STM Association, ‘Preserving the record of science’, [http://www.stm-assoc.org/document\\_library.php?document\\_portfolio=copyright&document\\_type=Guidelines](http://www.stm-assoc.org/document_library.php?document_portfolio=copyright&document_type=Guidelines)).

### Dealing with infringements

If an editor suspects that plagiarism or other type of infringement has occurred, it is necessary to conduct a rigorous enquiry. This must include asking the author for an account of the matter before reaching a decision. Editors should always be aware of the damaging effect that a charge of plagiarism can have on an author, both personally and professionally. Due care must be exercised, therefore, before a conclusion is reached. If a retraction is deemed necessary, the statement should be restricted to factual matters to avoid the possibility of a counter charge of defamation. Wiley-Blackwell provides legal support to assist editors with the form of words that may be used.

<sup>349</sup> [exchanges.wiley.com/blog/2009/12/09/maintaining-the-version-of-record-wiley-blackwell-retraction-policy](http://exchanges.wiley.com/blog/2009/12/09/maintaining-the-version-of-record-wiley-blackwell-retraction-policy)

## Survey results

Wiley-Blackwell carried out a survey of all cases of infringement identified in the journals we publish over the recent 12-month period. Of the 22 cases identified, the most common cause was plagiarism (32%) followed by self-plagiarism or dual publication (24%) (see Figure 1).<sup>350</sup> Authorship issues (such as fraudulent inclusion of co-authors or disputes between authors) counted for a further 16% of cases, while serious errors – either self-identified by authors or subsequently identified by others – comprised a further 16% of cases. In 12% of the cases submitted for consideration by the Company’s legal panel, there was insufficient data to justify a retraction.

maintaining-version-image-1-figure-1

### Figure 1: Survey results of retraction requests (n =22) received by Wiley-Blackwell legal panel during 2008

As shown in Figure 2, Medicine was the discipline most affected by retraction requests (50%), followed by the Social Sciences and Humanities (18%). Life Sciences and Physical Sciences comprise 14% of cases each, while the Professional area had the lowest incidence (4%).

maintaining-version-image-2-figure-2

### Figure 2: Analysis of subject area of retraction requests (n=22) reviewed by Wiley-Blackwell legal panel during 2008

Thomson Reuters findings have shown that in 2008, 95 of the 1.4 million Science, Technical and Medical published papers were retracted. This equates to 0.007% as a percentage of total articles published. However, Wiley-Blackwell has retracted 22 out of approximately 120,000 published articles, which equates to a higher percentage than the industry average at 0.02%.

One possible reason for this higher percentage could be a greater awareness among Wiley-Blackwell editors of the importance of scientific integrity. Wiley-Blackwell has clearly articulated policies in this area, with a central legal committee charged with reviewing all cases of infringement. This ensures that each case is handled with consistency.<sup>351</sup> Although in its relatively early phases, use of the CrossCheck software by journals participating in the pilot could be assisting editors to identify cases of infringement.

<sup>350</sup> Thus, 56% of the 22 were for some form of plagiarism.

<sup>351</sup> *This strong statement seems contradicted by the Wegman-Said handling.*

Please contact your Publishing Editor or Journal Publishing Manager for further information on Wiley-Blackwell copyright policy.

**Related posts:**

Policy on Retraction of Articles and Post-publication Changes to the Online Record

Retractions in Wiley-Blackwell Journals

Identifying the Version of Record of an Article: The CrossMark Pilot

Identifying the Version of Record of an article: CrossMark Update

Blackwell Introduces New Copyright and Author Self-archiving Policy'

Other relevant articles include:

[Allen Stevens](#)

*Editorial Director, Health Sciences Retractions in Wiley-Blackwell Journals*

**Retractions in Wiley-Blackwell Journals**<sup>352</sup>

No hits are found by either of the following searches:

<http://exchanges.wiley.com/blog/?s=wegman>

<http://exchanges.wiley.com/blog/?s=yasmin+said>

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<sup>352</sup> [exchanges.wiley.com/blog/2010/06/30/retractions-in-wiley-blackwell-journals](http://exchanges.wiley.com/blog/2010/06/30/retractions-in-wiley-blackwell-journals)

### R.3 2009.09.09 Wiley (COPE) flowchart for published article

DC had included a relevant flowchart and analysis in [DEE2012a], writing:

‘The handling of the two plagiarism complaints by Scott and Wiley was inexcusable, especially given Wiley’s **comprehensive ethics policy**. Here is the process laid out by Wiley for the handling of plagiarism complaints concerning previously published work (with original flow chart found [here](#)).’

The policy is **Publication Ethics**<sup>353</sup> and it includes:

#### 7.1 Plagiarism and copyright

Journal editors and readers have a right to expect that submitted work is the author's own, **that it has not been plagiarized** (i.e. taken from other authors without permission, if permission is required) and that copyright has not been breached (for example, if figures or tables are reproduced).

- Many journals require authors to declare that the work reported is their own and that they are the copyright owner (or else have obtained the copyright owner's permission). This is enforced further by the Wiley-Blackwell Exclusive License Form, the OnlineOpen Form, or the Copyright Assignment form, one of which must be submitted before publication in any Wiley-Blackwell journal. This form requires signature from the corresponding author to warrant that the article is an original work, has not been published before and is not being considered for publication elsewhere in its final form either in printed or electronic form.
- See 'Transparency' and 'Promoting research integrity'.

The relevant flowchart, which originates with COPE, is the 2<sup>nd</sup> page.<sup>354</sup>

It is reproduced at right, with highlighting to indicate a plausible path.

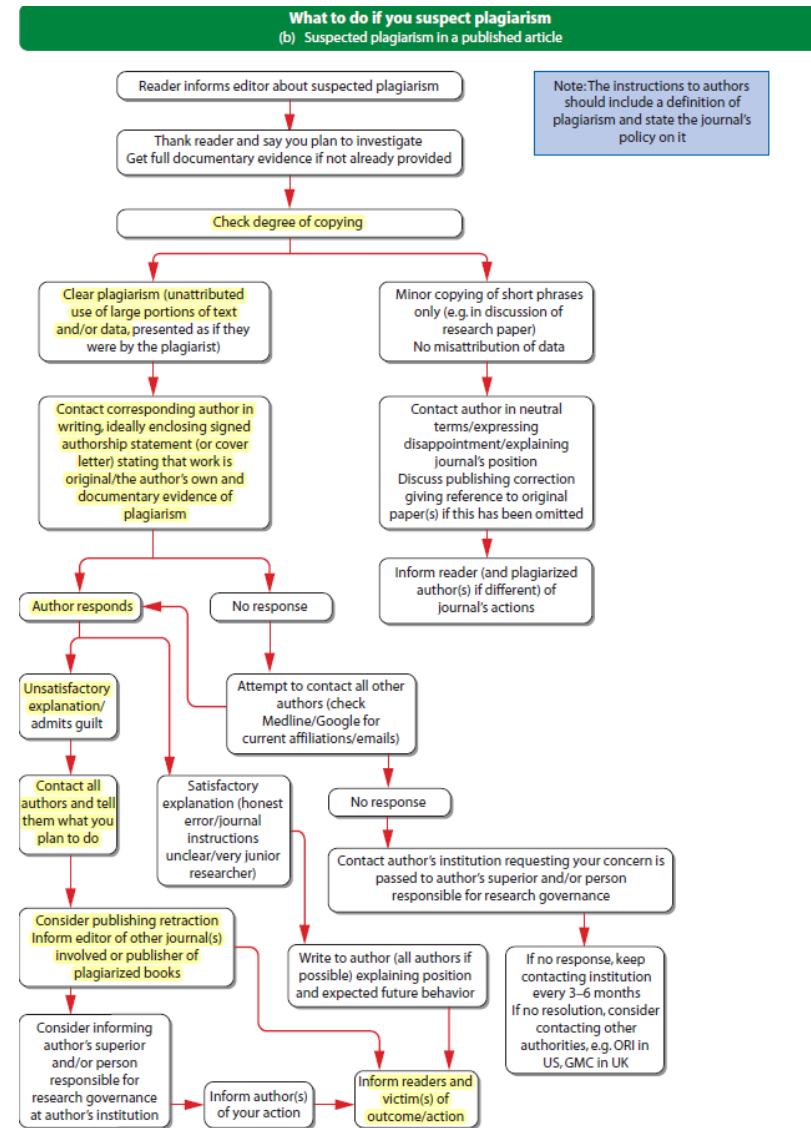
DC had documented in [SAI2009, WEG2011] the

“Clear plagiarism (unattributed use of large portions of text or data, presented as if by the plagiarist)”

DC also went through the flowchart, step by step.

*Unfortunately, so far I have been unable to find actual examples of Wiley retractions for plagiarism, to see where they draw the line.*

*No box says “let authors rewrite without admitting plagiarism.”*



Redrawn for Committee on Publication Ethics by Wiley-Blackwell  
© 2008 Committee on Publication Ethics

<sup>353</sup> [authorservices.wiley.com/bauthor/publicationethics.asp](http://authorservices.wiley.com/bauthor/publicationethics.asp)

<sup>354</sup> [authorservices.wiley.com/bauthor/files/04.pdf](http://authorservices.wiley.com/bauthor/files/04.pdf)

## R.4 2014.09.17 Wiley takes measures to target plagiarism

Helen Eassom

*Author Marketing*

Wiley takes measures to target plagiarism<sup>355</sup>

‘With one in three editors encountering plagiarism on a regular basis,<sup>356</sup> it remains a real problem in scientific publishing, and open access is no exception. And the problem isn’t improving, there has been a recent increase in article retractions and problems with published work tarnished by plagiarism or even complete fabrication. However, the growth of retractions can also point to more screening, and more propensity on the part of editorial offices to retract. In response, Wiley has rolled out automatic reports upon submission using the iThenticate anti-plagiarism software (part of the Crosscheck service) across all Wiley Open Access journals using ScholarOneManuscripts.’

She goes on to describe uses of Crosscheck and iThenticate.

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<sup>355</sup> [exchanges.wiley.com/blog/2014/09/17/wiley-takes-measures-to-target-plagiarism](http://exchanges.wiley.com/blog/2014/09/17/wiley-takes-measures-to-target-plagiarism)

<sup>356</sup> Link to [journals.plos.org/plosone/article?id=10.1371/journal.pone.0068397](http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0068397)

This article measures the public intervals from publication until retraction. Unfortunately intervals from complaint to retractions are very hard to find.

## S. COPE – Committee on Publication Ethics

COPE seems a useful organization whose purpose is well-stated:<sup>357</sup>

### ‘Promoting integrity in research publication

COPE is a forum for editors and publishers of peer reviewed journals to discuss all aspects of publication ethics. It also advises editors on how to handle cases of research and publication misconduct.’

COPE states further:<sup>358</sup>

’ The **Committee on Publication Ethics** (COPE) was established in 1997 by a small group of medical journal editors in the UK but now has over 9000 members worldwide from all academic fields. Membership is open to editors of academic journals and others interested in publication ethics. Several major publishers (including Elsevier, Wiley–Blackwell,<sup>359</sup> Springer, Taylor & Francis, Palgrave Macmillan and Wolters Kluwer) have signed up some, if not all, of their journals as COPE members.

COPE provides advice to editors and publishers on all aspects of publication ethics and, in particular, how to handle cases of research and publication misconduct. It also provides a forum for its members to discuss individual cases. COPE does not investigate individual cases but encourages editors to ensure that cases are investigated by the appropriate authorities (usually a research institution or employer).

All COPE members are expected to follow the Code of Conduct for Journal Editors.

COPE has produced an eLearning course for new editors. Eleven modules in total, the course currently includes: An Introduction to Publication Ethics, Plagiarism, and Authorship among others. COPE also funds research on publication ethics, organises annual seminars globally and has created an audit tool for members to measure compliance with its Code of Conduct and Best Practice Guidelines for Journal Editors.

<sup>357</sup> [publicationethics.org](http://publicationethics.org)

<sup>358</sup> [publicationethics.org/about](http://publicationethics.org/about)

<sup>359</sup> Wiley-Blackwell is part of John Wiley and Sons. Wiley is used for either, here.

### What guidance is available on this website (for members and non-members)?

- COPE Code of Conduct and Best Practice Guidelines for Journal Editors
- Flowcharts on how to handle common ethical problems
- Other COPE guidelines (eg on retractions)
- Sample letters (to adapt for use)
- Database of all cases discussed at COPE Forum (including podcasts of the discussion (where available), the advice given and the outcome of cases)’

All this seems helpful information, and many publications just use them as is. A search for “plagiarism” yields 143 cases, well-organized on 5 pages.<sup>360</sup> It is instructive to peruse the list and sample a few for the detailed descriptions. Among many, a few interesting ones include:

- ‘FORUM DISCUSSION TOPIC: How should a journal deal with persistent complainers?’<sup>361</sup> *Comment by Chris Graf, 29/11/2013 (Wiley) interesting.*
- ‘A case of plagiarism?’<sup>362</sup>
- ‘Journal refuses to correct the record’<sup>363</sup>

Especially useful is a document by Elizabeth Wager, “How should editors respond to plagiarism?”<sup>364</sup> *p.3 (of 13) includes, with my annotations to reflect the most easily-accessible issues of extent (many paragraph) and referencing (poor or non-existent). Readers can assess intent.*

Table 1: Features of different types of plagiarism

SAI2009, WEG2011  
patchwriting or mosaic

Feature	Least severe type				Most severe type
Extent	A few words	A few sentences	Whole paragraph	Several paragraphs	Whole paper
Originality of copied material	Widely-used phrase/idea		Phrase/idea used by a small number of authors		Original phrase/idea
Position/context/type of material	Standard method		Describing another worker's findings		Data/findings
Referencing/attribution	Source fully and clearly referenced		Source partially/inaccurately referenced		Unreferenced
Intention	No intention to deceive				Intention to deceive

<sup>360</sup> [publicationethics.org/search/site/plagiarism](http://publicationethics.org/search/site/plagiarism)

<sup>361</sup> [publicationethics.org/forum-discussion-topic-how-should-journal-deal-persistent-complainers](http://publicationethics.org/forum-discussion-topic-how-should-journal-deal-persistent-complainers)

<sup>362</sup> [publicationethics.org/case/case-plagiarism-0](http://publicationethics.org/case/case-plagiarism-0)

<sup>363</sup> [publicationethics.org/case/journal-refuses-correct-record](http://publicationethics.org/case/journal-refuses-correct-record)

<sup>364</sup> [publicationethics.org/files/Discussion%20document.pdf](http://publicationethics.org/files/Discussion%20document.pdf)

## V. Wegman Report remains prop for attacks on climate science

The WR started with demands from Joe Barton to Mann, Bradley, Hughes, and with the hearings, was probably the most well-orchestrated harassment of climate scientists [BRA2011, MAN2012, POW2011]. Despite pervasive problems, the WR has been referenced frequently in blogs, books and other non-peer-reviewed publications, although rarely in actual science journals. Scientists already knew it was poor in 2006, well before more statistics problems surfaced in 2009-2010. See also §B.1.

A quick chronological sample of recent books includes entries from around the world that treat the WR as credible. I own all except [RAP2014]. To these are added comments to Parliament in 2010 plus legal actions/comments in red, which by curious coincidence all involve GMU-trained lawyers with various kinds of connections.

- \*[ESS2008] Christopher Essex, Ross McKittrick, *Taken by Storm – The troubled science, policy, and politics of global warming Revised.* (CA)
- \*[HAY2008] Howard C. Hayden, *A Primer on CO2 and Climate*, 2<sup>nd</sup> Ed.
- \*[HOR2008] Christopher Horner, *Red Hot Lies: How Global Warming Alarmists Use Threats, Fraud, and Deception to Keep You Misinformed.*
- \*[RAP2008] Donald Rapp, *Assessing Climate Change: temperatures, solar radiation, and heat balance.* Same material in 2010 2<sup>nd</sup> Ed.
- \*[SOL2008] Lawrence Solomon, *The Deniers*, (CA).  
The entire first chapter is about Wegman.
- \*[ALE2009] Ralph B. Alexander, *Global Warming False Alarm*
- \*[BOO2009] Christopher Booker, *The Real global Warming Disaster.* (UK)
- \*[LAW2009] Nigel Lawson, *An Appeal to Reason: A Cool Look at Global Warming*, (UK).
- \*[MIC2009] Patrick J. Michaels, Robert Balling, Jr, *Climate of Extremes - Global warming science they don't want you to know*, CATO Institute (“in cooperation with the George C. Marshall Institute”)
- \*[PLI2009] Ian Plimer, *Heaven and Earth: Global Warming – The Missing Science, Australia.* This has 6 pages mostly quoting WR. (AU)
- \*[WIS2009] Ian Wishart, *Air Con*, (NZ)

\*[CUC2010] Kenneth T. Cuccinelli II, Wesley G. Russell, Jr, Stephen R. McCullough, Charles E. James, Jr., E. Duncan Getchell, Jr, “Brief in Opposition to Petition,” 07/13/10.<sup>365</sup> §X.1.

[MAS2010a] was published 09/26/10.

\*[CUC2010a] Kenneth T. Cuccinelli II, Wesley G. Russell, Jr, Stephen R. McCullough, Charles E. James, Jr., E. Duncan Getchell, Jr, “*Civil Investigative Demand*,” to the Rector and Visitors of the University of Virginia, 09/29/10. This was signed by Deputy AG Wesley G. Russell, Jr, on Cuccinelli’s letterhead.<sup>366</sup> This cites WR in support p.19, 20, 22. See §X.1.

*They may have missed [MAS2010a], but [VER2010, VER2010a-c] were harder.*

\*[CUC2010b] Kenneth T. Cuccinelli II, Wesley G. Russell, Jr, Stephen R. McCullough, Charles E. James, Jr., E. Duncan Getchell, Jr, “*Petition for Appeal*,” to the Rector and Visitors of the University of Virginia, 12/14/10. This was signed by Deputy AG Wesley G. Russell, Jr, on Cuccinelli’s letterhead.<sup>367</sup> This still cites WR in support p.14, despite *USA Today* and other articles, §X.1.

British Parliament was sent (at least) 6 submissions that cited the WR as evidence regarding “Climategate” :

- \*[BRA2010] Philip Bratby, Memorandum to Parliament (CRU 17), [www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc1702.htm](http://www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc1702.htm)
- \*[EWE2010] Susan Ewens, Memorandum to Parliament (CRU 13) [www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc1302.htm](http://www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc1302.htm)
- \*[HOL2010] David Holland, Memorandum to Parliament (CRU 24) [www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc2402.htm](http://www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc2402.htm) references WR.
- \*[MCI2010] Stephen McIntyre, Memorandum to Parliament (CRU 32) [www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc3202.htm](http://www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc3202.htm)
- \*[MEN2010] Clive Menzies, Memorandum to Parliament (CRU 19), [www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc1902.htm](http://www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc1902.htm)
- \*[PEA2010] Peabody Energy, Memorandum to Parliament (CRU 52), [www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc5202.htm](http://www.publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/climatedata/uc5202.htm)

13.pdf

<sup>366</sup> [voices.washingtonpost.com/virginiapolitics/New%20Mann%20CID.PDF](http://voices.washingtonpost.com/virginiapolitics/New%20Mann%20CID.PDF)

<sup>367</sup> [voices.washingtonpost.com/virginiapolitics/Cuccinelli%20Dec.%2015%20Petition%20for%20Appeal%20on%20UVa.pdf](http://voices.washingtonpost.com/virginiapolitics/Cuccinelli%20Dec.%2015%20Petition%20for%20Appeal%20on%20UVa.pdf)

<sup>365</sup> [voices.washingtonpost.com/virginiapolitics/AG%20Mann%20file%20July%20](http://voices.washingtonpost.com/virginiapolitics/AG%20Mann%20file%20July%20)

- \*[CAR2010] Robert M. Carter, *CLIMATE: The Counter Consensus*, (AU)
- \*[GOR2010] Steve Goreham, *Climatism!*.
- \*[MON2010] A. W. Montford, *The Hockey Stick Illusion*, (UK).
- \*[SCH2011] David Schnare on Vergano FOIA, used in AZ case, §X.2.
- \*[BEL2011] Larry Bell, *Climate of Corruption*
- \*[LAF2011] Donna LaFramboise, *The Delinquent Teenager* (CA)
- \*[ALE2012] Ralph B. Alexander, *Global Warming False Alarm, 2<sup>nd</sup> Ed*
- \*[MON2012] A. W. Montford, *Hiding the Decline*, (UK).
- \*[PET2012] E. Kirsten Peters, *The Whole Story of Climate*
- \*[RAP2012] Donald Rapp, *The Climate Debate*, 2012.
- \*[DAR2013] Rupert Darwall, *The Age of Global Warming – A History*
- \*[SCH2014] David Schnare, Jonathan Riches, Petitioner’s Reply Brief,<sup>368</sup>  
Case against U of Arizona, Malcolm Hughes, Jon Overpeck.
- \*[JOH2014] Milton Johns, complaints against me on behalf of Wegman & Said,  
§C p.6 of complaint, item 6 asserts credibility of WR’s statistical analysis.
- \*[RAP2014] Donald Rap, *Assessing Climate Change: Temperatures, Solar  
Radiation and Heat Balance.*  
(This was checked via Amazon. I own the other books.)
- \*[MOR2015] Alan Moran, Ed. *Climate Change The Facts*, WR:p.201  
Institute of Public Affairs (AU/US), Stockade, i.e., Mark Steyn).

### Blogs and web pages

As an experiment, the reader might Google: wegman report  
Google: site:http://wattsupwiththat.com wegman  
Some are negative, but many support it strongly. Besides all the websites  
and blogs, a steady stream of books has relied on the WR as credible.

### Wegman and Said

§U gives some history and current status. T

The [JOH2014] lawsuits and their continuation into 2015 shows that  
Wegman and Said still act as though there were the slightest credibility to  
the WR. *In some sense it is too bad that did not get tested in court, with  
witnesses under oath.*

As of this writing, Wegman’s GMU web page still lists [SAI2008] as a  
recent publication, despite retraction and being deprecated by experts.

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<sup>368</sup> [eelegal.org/wp-content/uploads/2014/09/2014.08.28-Petitioners-Reply.pages.pdf](http://eelegal.org/wp-content/uploads/2014/09/2014.08.28-Petitioners-Reply.pages.pdf)

## X. Legal actions and lawyers - GMU JDs and associates

The WR was almost entirely an effort by Wegman and GMU students. Since then, persistent legal attacks on climate scientists have often involved lawyers trained at GMU and perhaps have acted as Adjuncts.

### X.1 GMU JDs Cuccinelli, Russell, Johns, (Day, Prados)

**2005.11?** Cuccinelli and Day, PLLC founded<sup>369</sup> (date from Prados)

**2007.07.02** First Wayback capture of attorney profiles<sup>370</sup>

‘**Mr. Cuccinelli** earned his B.S. in Mechanical Engineering from The University of Virginia; his J.D. from **George Mason University School of Law and Economics**; and his Master’s Degree in International Transactions from George Mason University Graduate School. In law school, Mr. Cuccinelli was the Chairman of the Honor Committee and was a member of the law review.’

‘**Christopher M. Day** After a clerkship with the Honorable Bruce C. Levine, Christopher M. Day served as the Assistant Attorney General for Northern Virginia for four years, representing the Commonwealth of Virginia in both state and federal courts. ... Mr. Day holds a **Juris Doctorate degree from George Mason University School of Law, ...**’

**2008.09.17** Cuccinelli and Day had grown to 5 people<sup>371</sup>

‘**Ken Cuccinelli ...**

**Christopher M. Day ...**

**Milt Johns** has spent over 22 years in the Department of Defense contracting industry, in legal and management positions. Before joining Cuccinelli & Day of counsel, he has maintained a private practice of law for almost 10 years. ... Mr. Johns received his Bachelors Degrees in Political Science in 1986 and his Masters Degree in Security Policy Studies in 1989, both from George Washington University, He was awarded his **Juris Doctorate with High Honors from George Mason University in 1997.**

**Trey Mayfield** is an experienced litigator ... obtained his B.A. in Public Administration from Michigan State University, and his J.D. from Northwestern University School of Law in Chicago ...

<sup>369</sup> [www.desmogblog.com/curious-coincidences-george-mason-university-ed-wegman-milton-johns-and-ken-cuccinelli](http://www.desmogblog.com/curious-coincidences-george-mason-university-ed-wegman-milton-johns-and-ken-cuccinelli)

<sup>370</sup> [https://web.archive.org/web/\\*/http://www.cuccinelliday.com](https://web.archive.org/web/*/http://www.cuccinelliday.com)  
[https://web.archive.org/web/20100101000000\\*/http://www.cuccinelliday.com/attorney\\_profiles.html](https://web.archive.org/web/20100101000000*/http://www.cuccinelliday.com/attorney_profiles.html)

<sup>371</sup> [https://web.archive.org/web/20080917114735/http://www.cuccinelliday.com/attorney\\_profiles.html](https://web.archive.org/web/20080917114735/http://www.cuccinelliday.com/attorney_profiles.html)

**Paul A. Prados** joined the law firm of Cuccinelli & Day, PLLC as an associate **at its founding in November 2005.** ... Mr. Prados is a **2005 graduate of George Mason University School of Law** .... Mr. Prados received his B.A. from George Washington University in 2000.’

**2009.10.06** ← 2009.02.25 Mayfield departed and Nelson joined:<sup>372</sup>

‘**Ken Cuccinelli ... Christopher M. Day ... Milt Johns ...**

**Jonathan A. Nelson** joined Cuccinelli & Day, PLLC as an associate upon his being admitted to the Virginia Bar in 2007. ... Mr. Nelson is a **2007 graduate of The George Washington University School of Law.** ... Mr. Nelson received his **B.A. in Government and Public Policy from Patrick Henry College**<sup>373</sup> in 2004.

**Paul A. Prados ...**’

**2010.01.09** Last inclusion of Cuccinelli<sup>374</sup>, unsurprising, given next

**2010.01.16** Cuccinelli inaugurated as VA Attorney General.

**2010.04.23** Cuccinelli served “C. I. D.”<sup>375</sup> on U VA<sup>376</sup> about Mann, **\*[CUC2010]** in §V, signed and apparently drafted by Wesley Russell.<sup>377</sup>

‘Wes Russell (’95) was appointed by **law school classmate** and Virginia Attorney General **Ken Cuccinelli (’95)** to head the AG’s civil litigation unit that specializes in constitutional challenges to laws. (See related story page 2.)

Later, Russell was appointed a judge.<sup>378</sup>

‘Wes Russell ’95: Appointed to the Virginia Court of Appeals

**Wesley G. Russell Jr., Mason Law class of 1995**, began an eight-year term with the Virginia Court of Appeals on February 1, 2015. Just prior to his appointment to the bench he was the **Deputy Attorney General for Civil Litigation** specializing in constitutional challenges to the laws of the Commonwealth of Virginia. ...’

<sup>372</sup> [https://web.archive.org/web/20091006060741/http://www.cuccinelliday.com/attorney\\_profiles.html](https://web.archive.org/web/20091006060741/http://www.cuccinelliday.com/attorney_profiles.html)

<sup>373</sup> [en.wikipedia.org/wiki/Patrick\\_Henry\\_College](http://en.wikipedia.org/wiki/Patrick_Henry_College) This is useful background.

<sup>374</sup> [https://web.archive.org/web/20100109165142/http://www.cuccinelliday.com/attorney\\_profiles.html](https://web.archive.org/web/20100109165142/http://www.cuccinelliday.com/attorney_profiles.html)

<sup>375</sup> [www.readthehook.com/files/old/blog/wp-content/uploads/2010/04/climategate-2010-04-23-civilinvestigativedemand.pdf](http://www.readthehook.com/files/old/blog/wp-content/uploads/2010/04/climategate-2010-04-23-civilinvestigativedemand.pdf)

<sup>376</sup> [en.wikipedia.org/wiki/Attorney\\_General\\_of\\_Virginia%27s\\_climate\\_science\\_investigation](http://en.wikipedia.org/wiki/Attorney_General_of_Virginia%27s_climate_science_investigation)

<sup>377</sup> [www.law.gmu.edu/assets/files/alumni/Mason\\_Newsletter\\_fall\\_2010.pdf](http://www.law.gmu.edu/assets/files/alumni/Mason_Newsletter_fall_2010.pdf)

<sup>378</sup> [www.law.gmu.edu/news/2015/russell\\_appointment](http://www.law.gmu.edu/news/2015/russell_appointment)  
[voices.washingtonpost.com/virginiapolitics/2010/01/cuccinelli\\_staffs\\_up\\_attorney.html](http://voices.washingtonpost.com/virginiapolitics/2010/01/cuccinelli_staffs_up_attorney.html)

2010.05.25←2010.01.09 Change to Day & Johns PLLC<sup>379</sup>

‘Christopher M. Day ...  
Milt Johns ...  
Jonathan A. Nelson  
Paul A. Prados ...’

2010.06.11 Answer to U VA by Cuccinelli/Russell<sup>380</sup>

2010.07.13 Brief in Opposition to Petition<sup>381</sup>

\*[CUC2010a] in §V.

‘Kenneth T. Cuccinelli, II, Attorney General of Virginia  
Wesley G. Russell, Jr., Deputy Attorney General  
Stephen R. McCullough, Senior Appellate Counsel  
Charles E. James, Jr., Chief Deputy Attorney General  
E. Duncan Getchell, Jr., Solicitor General of Virginia’

p.9 ‘Ex. B. Not only are they few in number, but through connections with Mann, they formed a mutually supporting and reinforcing group; peer reviewing and co-authoring each other's papers. Wegman, Scott, & Said, "Ad Hoc Committee Report on the 'Hockey Stick' Global Climate Reconstruction" at 41-45 (2006) (Commissioned by the Chairman of the Committee on Energy and Commerce and the Chairman of the Subcommittee on Oversight and Investigations, hereinafter "**Wegman Report**") ...

p.11 ‘Subsequent exchanges between Mann et al. and McIntyre & McKittrick are collected and analyzed in the **Wegman Report**. ... The **Wegman Report** found the McIntyre and McKittrick papers "to be valid and their arguments to be compelling." Wegman Report at 48. Its analysis of MBH98 led to other conclusions as well: the data relied on in published articles can be "poorly documented and archived" and insufficiently "robust to withstand intense public debate," with publication too dependent "on peer review, which seem[ s] not to be sufficiently independent," while some authors tend to be grudging and haphazard in sharing data, and unwilling to "interact[ ] with the mainstream statistical community." Id. at 51.

<sup>379</sup>[https://web.archive.org/web/20100525225843/http://www.cuccinelliday.com/attorney\\_profiles.html](https://web.archive.org/web/20100525225843/http://www.cuccinelliday.com/attorney_profiles.html)

<sup>380</sup>[voices.washingtonpost.com/virginiapolitics/AG%20June%2011%20Answer%20Mann.pdf](https://www.washingtonpost.com/virginiapolitics/AG%20June%2011%20Answer%20Mann.pdf)

<sup>381</sup>[voices.washingtonpost.com/virginiapolitics/AG%20Mann%20file%20July%2013.pdf](https://www.washingtonpost.com/virginiapolitics/AG%20Mann%20file%20July%2013.pdf)

p.12 ‘The **Wegman Report** concluded that the use of proxy climate data is "still in its infancy," incapable at this time of reaching "definitive conclusions." Id. at 27. The **Wegman Report** left open the question of whether or not "Mann and associates realized the error of their methodology at the time of publication." Id. at 4. ‘

GMU JD’s Cuccinelli and Russell depended heavily on the accuracy and credibility of the WR, almost entirely written by a GMU statistics professor, postdoc and a few grad students, in which the scholarship was poor, the science was wrong, the statistics wrong. *The technical detail does make one ask who helped the lawyers, but its quality is low anyway.*

2010.09.29 Civil Investigative Demand by Cuccinelli/Russell.<sup>382</sup>

\*[CUC2010b] in §V. Much was just repeated from the 2010.07.13 Brief:

p.19 ‘Ex. B. Not only are they few in number, ..

p.21 ‘Subsequent exchanges between Mann et al. and ...

p.22 ‘The **Wegman Report** found ... ‘

2010.12.15 Petition for Appeal by Cuccinelli/Russell.<sup>383</sup>

They repeated some material, again relying on the WR:

p.14 ‘The **Wegman Report**, commissioned by a congressional committee, found the McIntyre and McKittrick papers "to be valid and their arguments to be compelling." **Wegman Report** at 48. The Wegman Report left open the question of whether or not "Mann and associates realized the error of their methodology at the time of publication." Id. at 4. (TCR at 139-40.) ‘

2011.02.03 First Wayback snapshot as [www.dayjohns.com](http://www.dayjohns.com)<sup>384</sup>

‘Christopher M. Day...Milt Johns...Jonathan A. Nelson ...Paul A. Prados Tawna M. Yetter went into private practice after public service as an Assistant Attorney General for the District of Columbia. ... Ms. Yetter is a 2004 graduate of Widener Law School. She graduated from the University of Pittsburgh in 1995 with dual B.S. in Political Science and Sociology and received a M.S. in Criminology from West Chester University in 1998. Ms .Yetter is an adjunct professor at Catholic University.’

<sup>382</sup> [voices.washingtonpost.com/virginiapolitics/New%20Mann%20CID.PDF](https://www.washingtonpost.com/virginiapolitics/New%20Mann%20CID.PDF)

<sup>383</sup> [voices.washingtonpost.com/virginiapolitics/New%20Mann%20CID.PDF](https://www.washingtonpost.com/virginiapolitics/New%20Mann%20CID.PDF)

<sup>384</sup> [https://web.archive.org/web/\\*/http://www.dayjohns.com](https://web.archive.org/web/*/http://www.dayjohns.com)

<https://web.archive.org/web/20130729193239/http://www.dayjohns.com/attorney-profiles>

2011.05.16 ← 2010.1.23 [VER2011] ← [VER2010c] Wegman at first answered questions, but by 05/16/11, Johns starting answering for him.

"Neither Dr. Wegman nor Dr. Said has ever engaged in plagiarism," says their attorney, Milton Johns, by e-mail.' (When Wegman engaged Johns is unclear.)

2014.03.10 Johns files first complaint, §A.1.

2014.04.15 Subpoena to Wiley, *perhaps to find John Doe(s)*?<sup>385</sup>

My early efforts (and Kirkpatrick's) were known [MAS2012a]

2014.06.12 Near-identical Said suit filed 06/11/14, in court 12<sup>th</sup>

2014.06.13 Johns issues subpoena to GMU

2014.06.14 Letter sent to *DeSmog*, §B.5.

2014.12.17 ← 2014.05.17 Yetter left, leaving:<sup>386</sup>

'Christopher M. Day ...

Milt Johns ...

Jonathan A. Nelson

Paul A. Prados' (no

2015.02.24 Complaint finally issued for service

2015.03.24 Complaint actually served<sup>387</sup>

2015.04.15 Removed to Federal court, §A.2

The combination of the next dates *is a bit mysterious*.

Johns had been a Partner at Cuccinelli Day (2008-2010) or Day Johns

(2010) for years, had handled the Wegman/Said case for over a year.

He filed for dismissal, and the next day started at another firm.

<sup>385</sup> However, strangely, the narrowing of scope must have led to the omission of anything by David Graves from the Wiley subpoena file. It also included nothing involving Helen Graves, possibly due to disconnect between Hoboken and UK.

<sup>386</sup> <https://web.archive.org/web/20141219114350/http://www.dayjohns.com>

<sup>387</sup> I had been in Canada skiing 02/26/15-03/17/15.

2015.04.30 Johns files Voluntary Dismissals for Wegman/Said.

2015.05.01 Johns joins Fluet Huber + Hoang<sup>388</sup>

'Milton C. Johns has been in private practice for over 17 years and has spent almost 30 years in government and defense contracting arenas in a variety of roles. He is an adjunct professor of Business Law at Northern Virginia Community College, and a **former adjunct professor** of business law at Strayer University in Woodbridge, Virginia and **of legal research and writing at George Mason University School of Law.**'

2015.05.16 ← 2014.12.19 No snapshots, archived<sup>389</sup>

'Christopher M. Day ...

Milt Johns ... (obviously, web page not yet updated)

Jonathan A. Nelson' (Day Johns down to 2 people)

2015.05 Cuccinelli's public Facebook page:



He writes:

'About Husband, father of seven, and former Virginia Attorney General. Favorite pastimes include playing with my kids and **suing the Federal government.**'

*At least, suing U VA is not there.*

<sup>388</sup> [fluetlaw.com/our-team?field\\_member\\_position\\_title\\_tid=71](http://fluetlaw.com/our-team?field_member_position_title_tid=71)

[fluetlaw.com/milt-johns-joins-fluet-huber-hoang](http://fluetlaw.com/milt-johns-joins-fluet-huber-hoang)

'Fluet Huber + Hoang (FH+H) announced that Milton C. (Milt) Johns joined the law firm as Partner on May 1, 2015.'

<sup>389</sup> [www.webcitation.org/6YYmksJaJ](http://www.webcitation.org/6YYmksJaJ)

**X.2 ATI, GMELC, FMELC, EELEGAL David Schnare and friends**

This is an update [MAS2012c §A.6.2], starting with that text and editing, but some changes may have been missed, and references remain local to that document.

David Schnare<sup>390</sup> another GMU J.D.(1999) and among other roles, has pursued many harassments of climate scientist, via institutes of changing names, often citing WR. He was a GMU Adjunct Professor at least 2011-2012, and taught a class in suing the government.

David Schnare founded the **George Mason Environmental Law Clinic** (GMELC) in August 2011.

By 12/24/11 it was the Free Market Environmental Law Clinic (FMELC),<sup>391</sup> located at his Burke, VA Home. He and Chris Horner (CEI, ATI)<sup>392</sup> were the staff.<sup>393</sup> Its Donations page had:<sup>394</sup>

‘The IRS has granted 501(c)(3) status to the Clinic. The Clinic’s EIN is 45-1602963.

The FME Law Clinic provides legal representation and research. **The Clinic is organized to provide a platform to train law students** and provide them clinical experience while offering public interest law services. **Originally incorporated as the George Mason Environmental Law Clinic**, the Directors of FME Law engaged in a **friendly and supportive discussion with the Dean of the George Mason University School of Law** and recognized that the clinic could better perform its function by servicing multiple law schools as a stand-alone clinic. The Board thus directed a name change to reflect this broadened purpose. Until completion of the legal transition to its new name, the Clinic is doing business as the Free Market Environmental Law Clinic but must retain its original name for banking and tax purposes.

In choosing to operate as a law clinic independent of any specific law school, it replicates the successful approach used by many other law clinics. **It remains in close cooperation with George Mason University’s School of Law and provides both academic courses and clinical opportunities for GMU Law students and is expanding its externship program to other law schools that have a doctrinal focus on law and economics.’**

Although the FMELC website still exists, it seems to have gone dormant, with last noted update 04/11/14.<sup>395</sup>

Schnare was also involved in the American Tradition Institute, which in October 2013 changed its name to **Energy and Environment Legal Institute (EELEGAL here)**. Its Senior leadership<sup>396</sup> is: David Schnare, Craig Richardson, Tom Tanton

Its Fellows and Advisors are:<sup>397</sup>

Amy Oliver Cooke, Senior Media Fellow,

Katy Grimes, Senior Media Fellow

Chris Horner,<sup>398</sup> Senior Legal Fellow (*CEI, JD Washington U St Louis*)

Steve Milloy,<sup>399</sup> Senior Policy Fellow

Jenna Ashley Robinson, Senior Policy Fellow (*grad of Koch Assoc. pgm*)

George Taylor, Senior Policy Fellow<sup>400</sup>

Greg Walcher, Board Member and Senior Policy Fellow

These organizations form a rapidly-shifting set, with overlapping people, but the rest of this will focus on Schnare and interesting legal actions, regardless of the organization names used at any particular time.

The case filings now seem to be getting updated at EELEGAL.<sup>401</sup>

In the rest of this section, updates added to [MAS2012c §A.6.2] are [blue](#).

<sup>395</sup> [fmelawclinic.org/?page\\_id=66](http://fmelawclinic.org/?page_id=66) f

<sup>396</sup> [eelegal.org/?page\\_id=293](http://eelegal.org/?page_id=293)

<sup>397</sup> [eelegal.org/?page\\_id=1688](http://eelegal.org/?page_id=1688)

<sup>398</sup> [www.desmogblog.com/chris-horner](http://www.desmogblog.com/chris-horner)

<sup>399</sup> [www.desmogblog.com/steve-milloy](http://www.desmogblog.com/steve-milloy)

<sup>400</sup> Not this George Taylor: [www.desmogblog.com/george-taylor](http://www.desmogblog.com/george-taylor)

<sup>401</sup> [eelegal.org/?page\\_id=2865](http://eelegal.org/?page_id=2865)

<sup>390</sup> [www.desmogblog.com/david-schnare](http://www.desmogblog.com/david-schnare) This is fairly up to date.

<sup>391</sup> [fmelawclinic.org](http://fmelawclinic.org), has not legally changed name

<sup>392</sup> [www.desmogblog.com/chris-horner](http://www.desmogblog.com/chris-horner)

<sup>393</sup> [fmelawclinic.org/?page\\_id=160](http://fmelawclinic.org/?page_id=160); [www.webcitation.org/69xmZgIK7](http://www.webcitation.org/69xmZgIK7)

<sup>394</sup> [fmelawclinic.org/?page\\_id=36](http://fmelawclinic.org/?page_id=36); [www.webcitation.org/69s2kxJ9e](http://www.webcitation.org/69s2kxJ9e)

**Schnare as Adjunct at GMU**

Schnare was an Adjunct Professor at the GMU School of Law<sup>402</sup> and taught ‘**Law 276-001 Federalism Litigation Practice**’ Summer 2012:<sup>403</sup>

‘This course is an introduction on how to sue the government when it does what it should not do.’<sup>404</sup>

The syllabus matches FMELC material.<sup>405</sup>

The Student Page expands on the relationship with GMU:<sup>406</sup>

‘FME Law provides clinical externship opportunities in conjunction with law schools aligned with a law and economics curriculum. Currently, FME Law has openings for three students affiliated with the George Mason University School of law, as described below.

The **Mason Law** externship program is designed to allow students who have completed one-third of their legal education to perform work outside the law school, for academic credit, under the supervision of an FME Law attorney. Students interested in completing a **supervised externship for academic credit** should review the **externship application packet** and complete the forms contained therein. **Submit your forms to the Career, Academic and Alumni Services in Room 370.**

**Current Externship Opportunities****Federalism Opportunities:**

We seek two students to assist in researching (1) who may bring suit challenging a federal mandate on a state; and, (2) the degree to which an unconstitutional federal mandate on a state is abrogated by the level of federal funding. This work will examine how to extend the rulings in Printz v. United States, 521 U.S. 898 (1997), New York v. United States, 505 U.S. 144, 120 L. Ed. 2d 120, 112 S. Ct. 2408 (1992) and Bond v. United States, 131 S. Ct. 2355 (U.S. 2011) to environmental mandates on local and state agencies and bodies. Students will conduct legal research and prepare sections of a journal article, based on their research. Students will be acknowledged as co-authors to final reports of the research.

<sup>402</sup> [www.law.gmu.edu/faculty/directory/adjunct/schnare\\_david](http://www.law.gmu.edu/faculty/directory/adjunct/schnare_david)

<sup>403</sup> [www.law.gmu.edu/assets/files/academics/schedule/2012/summer/SCHNARE\\_FederalismLitPrac-S.pdf](http://www.law.gmu.edu/assets/files/academics/schedule/2012/summer/SCHNARE_FederalismLitPrac-S.pdf)

<sup>404</sup> Thus, Schnare pursues scientists like Mann, Hansen, Dessler, and Hayhoe.

<sup>405</sup> [www.webcitation.org/69x9WhoYW](http://www.webcitation.org/69x9WhoYW) See especially Lecture 7, “Data Quality Act.” Any unfamiliar with its abuse and **Jim Tozzi**’s role in creating it might read Chris Mooney, *The Republican War on Science*(2005), especially Ch.9.

*While it sounds plausible, it is a crucial tool for “paralysis by analysis.”*

<sup>406</sup> [fmelawclinic.org/?page\\_id=32](http://fmelawclinic.org/?page_id=32); [www.webcitation.org/69sR4vxOm](http://www.webcitation.org/69sR4vxOm)

**Research Transparency:**

The Law Clinic has received information that Virginia university professors are not following basic scientific processes by failing to keep research logs required not only as a necessity to allow duplication of their research, but as required under universities’ policies. **We seek a student to draft multiple Freedom of Information Requests to certain universities in order to determine the degree to which university faculty are failing to follow proper scientific and policy procedures.** After assessment and drafting of a summary report on findings, the student will offer causes of action available to redress any negative findings, which can include drafting and assisting in prosecuting a verified petition for mandamus and injunctive relief under the Virginia FOIA, if appropriate.’

Schnare describes its Legal Assistance:<sup>407</sup>

‘The Free Market Environmental Law Clinic prosecutes cases that hold governments accountable when they violate their own rules, the law or the Constitution. Central to our strategy is a petition-litigation practice that requires courts to reevaluate prior decisions, hold agencies and government employees to account, and put false science on trial.

In addition to coordinating with legal experts to identify strong plaintiffs, we serve as a clearing-house for expert witnesses, research, amicus briefs, and consultations to like-minded litigators nationwide.

**We conduct “offensive” rather than “defensive” litigation.** If you have a problem with an environmental regulatory agency, whether local, state or federal, and you believe they have stepped outside the fair playing field, you may be our customer, and we would like to hear about your problems. If we are not able to undertake your case, we will advise on who else may be able to, or how you may otherwise find relief from your problem.’

<sup>407</sup> [fmelawclinic.org/?page\\_id=34](http://fmelawclinic.org/?page_id=34); [www.webcitation.org/69sR4vxOm](http://www.webcitation.org/69sR4vxOm)

As in [MAS2012, §0.4], a 501(c)(3)s can lose that status if it makes statements that use distorted facts (*IRS-2E*),<sup>408</sup> or inflammatory or disparaging terms (*IRS-3E*). Their litigation page has a list of efforts<sup>409</sup>

The FME Law Clinic provides litigation and research services to qualified clients. We concentrate on cases involving landmark free-market pro-environmental litigation; use of open records and data quality laws to force greater governmental accountability and transparency; and, **cases that allow the Clinic to help create the next generation of free market oriented attorneys. The Clinic has paired with the American Tradition Institute in order to prosecute three cases, described below.**<sup>410</sup> In addition, the Clinic has an active Freedom of Information Act practice.

#### Active Cases

##### **Occoquan Watershed Coalition v. EPA**

FME Law is representing the Occoquan Watershed Coalition (OWC) in a law suit against the U.S. Environmental Protection Agency. ...

As per EELEGAL,<sup>411</sup> this next case vs U VA started with FOIA 01/06/11.<sup>412</sup> This case wasted much time and money.  
 04/17/14 The Court generally upheld U VA.<sup>413</sup>  
 05/16/14 ATI/FMELC petitioned for a rehearing.<sup>414</sup>  
 Although labeled ATI, Schnare identified himself as FMELC and address.

##### **American Tradition Institute v. University of Virginia**

*(records of Dr. Michael Mann, Freedom of Information Act Petition filed May 16, 2011)*

American Tradition Institute's Environmental Law Center<sup>415</sup> and Virginia Delegate **Robert Marshall**<sup>416</sup> asked a Prince William County judge, under the Commonwealth's Freedom of Information Act, to expedite the release of documents withheld by the University of Virginia that pertain to the work of its former environmental sciences assistant professor Dr. Michael Mann. The legal action followed a delay by UVA of more than four months since ATI and Del. Marshall made **their original request** on Jan. 6. Twelve months after the initial request the matter remains in court with UVA seeking to deny the public copies of emails for which they paid.

The court has ordered the parties to identify exemplar emails that will serve as the basis for legal challenges to UVA's refusal to release 12,000 emails that chronicle the history of keystone efforts in the early climate change alarmism. We expect this matter will end up in the Supreme Court of Virginia and if successful its **discovery and production will prove invaluable to energy policymaking**<sup>417</sup> at the state and federal levels domestically, as well as internationally.

<sup>411</sup> [eelegal.org/?page\\_id=2865](http://eelegal.org/?page_id=2865)

<sup>412</sup> Cozen O'Connor was involved in defending Mann.

<sup>413</sup> [www.courts.state.va.us/opinions/opnscvwp/1130934.pdf](http://www.courts.state.va.us/opinions/opnscvwp/1130934.pdf)

<sup>414</sup> [eelegal.org/wp-content/uploads/2014/06/2014.05.16-Final-Petition-for-rehearing.pdf](http://eelegal.org/wp-content/uploads/2014/06/2014.05.16-Final-Petition-for-rehearing.pdf)

<sup>415</sup> That part of ATI was Horner and Schnare.

<sup>416</sup> [delegatbob.com/meet-bob](http://delegatbob.com/meet-bob); [www.webcitation.org/69yMBgsus](http://www.webcitation.org/69yMBgsus)

Bob Marshall's son Joe is a GMU graduate who does/did the website for Robert Ferguson's SPPI, a part of the Center for the Study of Carbon Dioxide and Global Change [MAS2012, §K.3].

<sup>417</sup> *Really? Exactly how would paleoclimate research from then affect energy policy? Later papers have confirmed the general findings, while refining them, as is normal in real science. This is all part of the never-ending attack on the 1999 hockey stick paper. I find nothing wrong with reasoned pushback against bad regulation, or exposure of real misconduct, but Schnare and Horner have*

<sup>408</sup> [MAS02012c p.8] for notation

<sup>409</sup> [fmelawclinic.org/?page\\_id=9](http://fmelawclinic.org/?page_id=9); [www.webcitation.org/69s2LDIj7](http://www.webcitation.org/69s2LDIj7)

<sup>410</sup> The only actual ATI staff listed 08/12/12 were Horner, Schnare and Thomas Tanton, who often writes for Heartland Institute's *Environment and Climate News*, [MAS2012, §X.2]. [www.atinstitute.org/about/staff-board-of-directors](http://www.atinstitute.org/about/staff-board-of-directors)  
[www.desmogblog.com/tom-tanton](http://www.desmogblog.com/tom-tanton)

Schnare and Horner essentially "paired" with themselves.

**American Tradition Institute v. State of Colorado, et al.** (filed April 4, 2011)

American Tradition Institute's Environmental Law Center filed a lawsuit in federal court challenging the constitutionality of Colorado's Renewable Energy Standard, based upon evidence that the state's law violates the Commerce Clause of the U.S. Constitution. The Commerce Clause reserves the regulation of interstate commerce to the federal government. ...

#### **Resolved Cases**

**American Tradition Institute v. National Aeronautics and Space Administration**

(records of Dr. James Hansen, Freedom of Information Act Petition filed June 21, 2011)

On June 21, 2011 American Tradition Institute's Environmental Law Center filed a lawsuit in federal district court in the District of Columbia to force NASA to release ethics records for Dr. Hansen. The action followed NASA's denial of ATI's federal Freedom of Information Act request with NASA, seeking records detailing whether and how 'global warming' activist Dr. James Hansen of NASA's Goddard Institute for Space Studies (GISS) has complied with applicable federal ethics and financial disclosure laws and regulations, and NASA Rules of Behavior.

This case forced NASA and the U.S. Office of Governmental Ethics to change its policy on release of public documents as well as how NASA and others implement their ethics responsibilities (poorly). It has resulted in an ongoing investigation by the U.S. House of Representatives Committee on Government Operations.<sup>7</sup>

#### **FOIA Actions**

§ **University of Virginia** – Requested Mann emails associated with his academic duties. This matter is now before a Virginia Circuit Court for failure of UVA to meet its responsibilities under the Virginia FOIA and to challenge the University's claims that 12,000 emails are exempt from FOIA. Mann has entered the case as a party (defendant). As of early 2012 we are in motions practice on our effort to proceed to discovery.

§ **University of Virginia** – Requested Michael Mann's research logs or the written authorization allowing Mann to take his log upon his departure from UVA. The University responded stating it did not have a log and had no release authorization. UVA also refused to inquire as to whether Mann actually

kept a research log. As such, FME Law has effectively established that he kept no research log which is why no one, including Mann, can duplicate the research underpinning his infamous<sup>418</sup> Hockey Stick-shaped reconstruction of global temperature.<sup>419</sup>

§ **University of Virginia** – Requested evidence that 15 faculty members who engaged in publishing peer-reviewed scientific papers actually kept research logs associated with that research. The University requires faculty to maintain such logs so that others can duplicate the research using the exact same methods. Of the 15, only one research log was found, and it belonged to a clinical assistant. Not one faculty member appears to have kept a research log.

\*[SCH2011]<sup>420</sup> The next case gives credence to the WR, and also misrepresents Dan Vergano's FOIA requests to GMU, [MAS2013a-e].

§ **George Mason University** – Requested and received the Wegman records sought by USA Today, thereby establishing what is proper, and what are disparate, implementation practices under Virginia's FOI law by different universities or, arguably, depending on the published views of the subject of the FOI request. **Professor Wegman's emails document the validity of the deconstruction of the Mann Hockey Stick.**<sup>421</sup>

§ **National Aeronautics and Space Administration (NASA)** – Requested Jim Hansen's ethics compliance records regarding outside employment and other activity. We established that Dr. Hansen received approximately ten times his salary in gifts, outside employment and speaking fees, all as a result of his environmental advocacy. Should he choose to testify again in Congress he now has specific, troubling questions to answer. His records show he and his supervisors failed to properly follow the NASA ethics requirements. On behalf of ATI Law, the FME Law Clinic filed to force release of the records in the U.S. District Court for the District of Columbia. NASA settled the matter, releasing all records sought, and we are in the fee-recovery stage of this litigation.

<sup>418</sup> Famous, [IRS-3E](http://www.egu.eu/awards-medals/hans-oeschger/2012/michael-mann), award-winning. [www.egu.eu/awards-medals/hans-oeschger/2012/michael-mann](http://www.egu.eu/awards-medals/hans-oeschger/2012/michael-mann)

<sup>419</sup> False, [IRS-2E](#). The research has been effectively replicated many times and code and data made available.

<sup>420</sup> [I am not exactly sure when they filed this](#),

<sup>421</sup> False, [IRS-2E](#). I allege that the Wegman Report was not only wrong, but employed falsification of the basic statistics, §4.5. See also [MAS2013a].

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*demonstrated often that their efforts do not fit those categories.*

§ **Harvard-Smithsonian** – Requested records provided Greenpeace regarding correspondence associated with the Soon/Baliunas. These were received in a timely fashion. **Soon and Baliunas published a landmark paper debunking the argument that the Medieval Warming Period was only a Northern Hemisphere phenomena, showing it was a global event.**<sup>422</sup>

§ **Harvard-Smithsonian** – Requested additional correspondence reflecting the efforts revealed in “Climategate” emails to seek the dismissal of Soon and Baliunas in response to their having published particular research. These documents have not been produced on a timely basis and may require litigation to free them.

§ **National Science Foundation** – Requested Verardo/Mann correspondence. Mann refused to release fundamental data and results used to support his Hockey Stick temperature reconstruction. When the same data was sought from the National Science Foundation, who provided the grant for Mann’s research, NSF’s Verardo refused to provide the data. ATI sought the email correspondence between Mann and Verardo associated with this matter. NSF claimed it possessed no such records though on appeal FME Law provided certain responsive correspondence which is already publically available on the internet, and noted our ability to establish the existence of more. FME Law appealed this response. NSF’s responded on January 19, 2012 seeking a ten-day extension to consult internally, as is permitted by statute.

§ **National Science Foundation** – Requested additional documents associated with the Verardo/Mann discussions on disclosure of Mann’s data. After invoking statutory authority for a ten-day extension to consult internally, as the request seeks certain records produced by the general counsel’s office, NSF promised a response by February 2, 2012.

§ **National Science Foundation** – Requested other Verardo/Mann Correspondence during the time of NAS panel on climate change for a broader window of time than the original request sought. NSF has promised a response by January 25, 2012.

ATI filed a FOIA request with U of AZ in 2011, tried again in 2013.<sup>423</sup> By 03/30/15 the court ruled against them,<sup>424</sup> after they had generated pages of court history,<sup>425</sup> wasting time and effort at U of Arizona and court. \*[SCH2014] relied heavily on the WR and had serious problems.

§ **University of Arizona** – Requested correspondence among Hughes, Mann and Overpeck associated with efforts to have journal editors fired on the basis that they accepted papers critical of Mann.<sup>426</sup> UofA has acknowledged receipt of the FOIA but has not responded and are under no specific statutory time constraint. This may require litigation to force production in a reasonable period of time.

**2014.08.28** \* [SCH2014] Petitioner’s Reply Brief<sup>427</sup>  
 FMELC  
 David Schnare (but in Washington, not VA)  
 Scharf-Norton Center for Constitutional Litigation  
 Goldwater Institute<sup>428</sup>  
 Jonathan Riches<sup>429</sup>

The WR is Ex.9 and it gets many hits.

**p.14** ‘Call them a coterie, a clique, a group or, as Hughes, Overpeck and Mann have named themselves, the “hockey team,” it does not matter. The **Wegman report** to Congress, discussed infra, identifies the subgroup of the scientific-technological elite that has controlled publication and peer review within the community of scientists involved in climate change.’

<sup>423</sup> [tucson.com/news/local/environmental-group-sues-to-get-ua-records/article\\_b7dd22e6-7171-5af5-a26a-4e2f00ae8b44.html](http://tucson.com/news/local/environmental-group-sues-to-get-ua-records/article_b7dd22e6-7171-5af5-a26a-4e2f00ae8b44.html)

<sup>424</sup> [arstechnica.com/science/2015/03/arizona-court-protects-climate-scientists-emails-from-think-tank/](http://arstechnica.com/science/2015/03/arizona-court-protects-climate-scientists-emails-from-think-tank/)  
<https://s3.amazonaws.com/ucs-documents/science-and-democracy/19966054.pdf>

<sup>425</sup> [www.agave.cosc.pima.gov/PublicDocs/enter\\_C20134963](http://www.agave.cosc.pima.gov/PublicDocs/enter_C20134963)

<sup>426</sup> False, **IRS-2E**. This is the same Soon / Baliunas / de Freitas case.

<sup>427</sup> [eelegal.org/wp-content/uploads/2014/09/2014.08.28-Petitioners-Reply.pages.pdf](http://eelegal.org/wp-content/uploads/2014/09/2014.08.28-Petitioners-Reply.pages.pdf)

<sup>428</sup> [www.sourcewatch.org/index.php/Goldwater\\_Institute](http://www.sourcewatch.org/index.php/Goldwater_Institute)

<sup>429</sup> [www.goldwaterinstitute.org/en/authors/jon-riches/](http://www.goldwaterinstitute.org/en/authors/jon-riches/)

<sup>422</sup> False, **IRS-2E**. Rather than being a landmark paper, it was so bad that the incoming Editor-in-Chief and several more editors quit because the Publisher would not allow retraction. [www.desmogblog.com/skeptics-prefer-pal-review-over-peer-review-chris-de-freitas-pat-michaels-and-their-pals-1997-2003](http://www.desmogblog.com/skeptics-prefer-pal-review-over-peer-review-chris-de-freitas-pat-michaels-and-their-pals-1997-2003).

**p.36-** ‘The U.S. Congress took note of this and commissioned an independent study to determine which of the two sets of papers were correct. A team of three professors from George Mason University, Rice University and Johns Hopkins University, with the assistance of professionals from the Naval Surface Warfare Center and MITRE Corporation,<sup>430</sup> conducted the analysis. Their subsequent report is usually referred to by the name of the lead author (The **Wegman Report**, Plaintiff’s Opening Brief, Ex. 9).

To conduct their investigation, the **Wegman** team needed be able to completely reproduce the results from each set of authors. This required access to the programming code and a full description (documentation) of the data used and the computer code. McIntyre and McKittrick provided the code and related documentation while Mann, Bradley and Hughes provided their code but either would not or could not provide the documentation. The first finding of the **Wegman Report** was, “In general, we found MBH98 and MBH99 to be somewhat obscure and incomplete and the criticism of MM03/05a/05b to be valid and compelling. Plaintiff’s Opening Brief, Ex. 9 at p. 4.’<sup>431</sup>

**p.40-** ‘Consider, for example, the request of Dan Vergano of USA Today (newspaper) who sought emails of **Professor Edward Wegman** with regard to the Wegman Report. The request was made by email on October 21, 2010, a request quite similar to E&E Legal’s request in the instant case. ... Fourteen days later George Mason University (“GMU”) produced all the information sought which included emails falling in to each of the six categories listed above, withholding nothing.<sup>432</sup> GMU provided this information at no cost and in electronic form. This is the common practice of universities that have nothing to hide or no proclivity to keep public records secret. Notably, not one academic lobby group protested this release.

<sup>430</sup> Said was a GMU postdoc when WR appeared, and was not a Professor at JHU, at least not in Applied Mathematics and Statistics: [https://web.archive.org/web/\\*/http://www.ams.jhu.edu/ams/people/faculty.html](https://web.archive.org/web/*/http://www.ams.jhu.edu/ams/people/faculty.html) Reeves and Rigsby were GMU grad students, and acted in those roles, not as employees of MITRE or NSWC. Scott only contributed a few pages. This misrepresented the team.

<sup>431</sup> Misrepresentation. [MAS2010a §A.1.3.] Wegman got help from McIntyre and just ran the code, but did not talk to Mann, Bradley or Hughes.

<sup>432</sup> **False/misleading.** Despite using his GMU affiliation and claiming the WR for an Army ARO contract, Wegman handled all the WR email off-campus, so GMU did not have it.

**p.51-** ‘Nor have other high profile academics who have had their research emails released suffered from loss of collaboration. A Google Scholar search of papers by GMU Professor **Edward Wegman** shows he produced the same number of papers (all with collaborators) in the four years before and after the email release of public records associated with the Wegman Report (16 before and 16 after).’ Professor Hughes’ self-serving statement in his unsworn declaration is without weight in any balancing of the equities, even if it were admissible before this Court. The Wegman data, however, is objective data and is direct evidence that release of emails causes no harm to collaboration.<sup>433</sup>

Among the numerous problems this one, rather serious:

**p.11** ‘We begin with the late Steven Schneider’s now infamous suggestion to his colleagues, including Drs. Overpeck and Hughes:

On the one hand, as scientists we are ethically bound to the scientific method, in effect promising to tell the truth, the whole truth, and nothing but — which means that we must include all the doubts, the caveats, the ifs, ands, and buts. On the other hand, we are not just scientists but human beings as well. And like most people we’d like to see the world a better place, which in this context translates into our working to reduce the risk of potentially disastrous climatic change. *To do that scientists should consider stretching the truth*<sup>434</sup> to get some broadbased support, to capture the public’s imagination. That, of course, entails getting loads of media coverage. So we have to offer up scary scenarios, make simplified, dramatic statements, and make little mention of any doubts we might have. This ‘double ethical bind’ we frequently find ourselves in cannot be solved by any formula. *Each of us has to decide what the right balance is between being effective and being honest.*<sup>2</sup> (this omits the key sentence) 2 Stephen H. Schneider, Prof., Dept. of Biological Sciences and Sr. Fellow Inst. for International Studies, Stanford University, “Don’t Bet All Environmental Changes Will Be Beneficial,” American Physical Society APS News, 5:8 (1996) (the first emphasis is in the original, the second is not).’

<sup>433</sup> **Wrong or misleading.** For a serious analysis see [MAS2013a, MAS2013c]. Wegman has long published mostly with current or past students, not others.

<sup>434</sup> [www.aps.org/publications/apsnews/199608/environmental.cfm](http://www.aps.org/publications/apsnews/199608/environmental.cfm) Schneider corrected him, enclosing Simon’s invention in [] to show it false. Julian Simon inserted the “stretching the truth” into Schneider’s quote. [www.aps.org/publications/apsnews/199603/upload/mar96.pdf](http://www.aps.org/publications/apsnews/199603/upload/mar96.pdf) p.12 Schnare removed the [] and reattributed the false quote to Schneider.

**This is hard to explain but as deliberate falsification of a famous quote.**

§ **U.S. Department of Justice** – Requested copies of documents associated with the release of emails from the University of East Anglia (Climategate), beginning in 2009 and through the recent British criminal investigation, in which DOJ has participated. A response was due on January 19, 2012.

§ **U.S. Department of Justice** – Requested copies of documents associated with the release of emails from the University of East Anglia (Climategate), beginning in 2009 and through the recent British criminal investigation, in which DOJ has participated. A response was due on January 19, 2012.

§ **Texas Tech** – Requested documents of erstwhile “climate” chapter contributor Professor **Katharine Hayhoe** to, from and citing Newt Gingrich, and his forthcoming book on environmental issues. The University refused to produce the documents, producing one redacted email affirming Hayhoe was indeed engaged by Gingrich’s co-author to produce the chapter, as well as the chapter’s inclusion in the book as of December 7, 2011, despite Gingrich claims to the contrary days later. FME Law has appealed this unlawful redaction and filed a complaint with the Texas Attorney General regarding TTU’s admission that they violated the Texas transparency laws by failing to seek the AG’s approval before withholding responsive information. FME Law requested the AG compel TTU to produce responsive records, and submitted a second request going back to the date of the first request for Hayhoe’s chapter, in 2007.<sup>435</sup>

§ **U.S. Environmental Protection Agency** – Requested copies of policies and internal guidance on how the agency processes citizen petitions authorized under the First Amendment to the U.S. Constitution. This is the first step in a planned examination on whether EPA processes petitions from those it endorses as compared to those who criticize the agency.

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<sup>435</sup> *This is harassment of a good climate scientist, Katharine Hayhoe, for no obvious reason other than her pro bono writing of a chapter for New Gingrich that got her attacked by Marc Morano and company.*

ATI also pursued Texas A&M’s Andrew Dessler.

[www.southernstudies.org/2012/07/climate-science-attack-group-turns-sights-on-texas-professors.html](http://www.southernstudies.org/2012/07/climate-science-attack-group-turns-sights-on-texas-professors.html)

### **Prospective Cases**

**ATI v. US. Forest Service** – ATI is seeking support for, and asked FME Law to prepare, a FOIA, Endangered Species Act and Data Quality Act petition-litigation action to force full implementation of National Forest Management Plans that require logging in order to prevent forest fires that causing destruction of endangered species habitat and which would also create new timber and mill jobs and reinvigorate a moribund national timber industry.

**A Association v. EPA** – The FME Law Clinic is preparing a petition-litigation action to force EPA to revise rules costing over \$60 billion and which fail to properly target the actual source of harmful PM2.5 air pollutants, regulating industries that do not contribute to the hazard and failing to regulate some that do.’

Schnare (and John Droz,<sup>436</sup> a Fellow at ATI) have been active recently:

#### **08/04/11**

ATI and Delegate Robert Marshall, Affidavit by Schnare.<sup>437</sup>  
‘Director of nascent George Mason Environmental Law Clinic’

#### **12/01/11**

Daren Bakst, David Schnare and John Droz to speak:<sup>438</sup>

‘RALEIGH -- Experts from the John Locke Foundation, American Tradition Institute, and **George Mason University** will meet Tuesday, Dec. 6, in Morehead City to poke holes in the stories coastal North Carolina residents have been hearing about wind power.’

#### **12/05/11**

“The Truth About Wind Power on the Coasts of North Carolina<sup>439</sup>

‘RALEIGH -- Experts from the John Locke Foundation, American Tradition Institute, and **George Mason University** will meet Tuesday, Dec. 6, in Morehead City to poke holes in the stories coastal North Carolina residents have been hearing about wind power.’

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<sup>436</sup> [www.desmogblog.com/john-droz](http://www.desmogblog.com/john-droz) New

<sup>437</sup> [www.ucsusa.org/assets/documents/scientific\\_integrity/2011-08-24-schnare-affadavit.pdf](http://www.ucsusa.org/assets/documents/scientific_integrity/2011-08-24-schnare-affadavit.pdf)

<sup>438</sup> [www.carolinajournal.com/exclusives/display\\_exclusive.html?id=8514](http://www.carolinajournal.com/exclusives/display_exclusive.html?id=8514)

<sup>439</sup> [www.crystalcoastteaparty.com/workshop-the-truth-about-wind-power-on-the-coasts-of-north-carolina](http://www.crystalcoastteaparty.com/workshop-the-truth-about-wind-power-on-the-coasts-of-north-carolina)

**12/06/11**“Social activism replaces inquiry at UNC-Wilmington”<sup>440</sup>

‘There we were; in the belly of the beast; conservatives waiting to be regurgitated by the liberal leviathan—lurking in its comforting lair. ...

However, students, faculty and other activists were not there to learn about the negative side of wind energy, such as its excessively high costs, wasteful use of land, low value and inefficiencies that make it uneconomical unless subsidized heavily by government.’

The North Carolina legislature has done its best to ignore science on sea level rise,<sup>441</sup> with ATI’s John Droz, Jr a leader in that effort.<sup>442</sup>Both North Carolina and Virginia are expected by scientists to see higher than average sea level rise.<sup>443</sup> NC first tried to ignore the science, then deferred it. VA went further, banning the term “sea level rise” from a report on coastal flooding.<sup>444</sup>California, which takes sea level rise seriously,<sup>445</sup> subsidizes NC and especially VA through Federal tax transfers.<sup>446</sup> *In light of the strong Tea Party organizations there, this seems a bit ironic.**FMELC seems to harass universities, scientists and the EPA, waste their time,<sup>447</sup> and train GMU students to do it also.<sup>448</sup> As is often the case, the same people appear in multiple organizations whose actual substance is unclear, but can be used to simulate more support than really exists.***End**

Updates and corrections:

05/20/15 fixed some typos, and MS Word → PDF shading problem.

<sup>445</sup> [www.bcdc.ca.gov/planning/climate\\_change/2008-04-16\\_forum.shtml](http://www.bcdc.ca.gov/planning/climate_change/2008-04-16_forum.shtml)<sup>446</sup> [taxfoundation.org/article/federal-taxes-paid-vs-federal-spending-received-state-1981-2005](http://taxfoundation.org/article/federal-taxes-paid-vs-federal-spending-received-state-1981-2005)

As of 2005, CA made the largest net transfer Federal government, VA received the largest excess. The ratios and rough amounts were

CA 0.78 -\$47B (Federal spending received – Federal taxes paid)

NC 1.08 \$ 7B

VA 1.51 \$35B

Thus, CA gets \$0.78 back for every dollar sent, and some of the money goes to NC and VA. *As sea level rise occurs, one might wonder if NC and VA will seek to spend Federal funds (including California money) to deal with it.*<sup>447</sup> [www.epa.gov/climatechange/endorsement/petitions.html](http://www.epa.gov/climatechange/endorsement/petitions.html) for example.Petitions and amazingly-patient responses to assertions of untruth and challenges of well-proven science from lawyers and lobbyists. For some general discussions, see series of posts via [rabett.blogspot.com/search?q=%22eli+can+retire%22](http://rabett.blogspot.com/search?q=%22eli+can+retire%22)<sup>448</sup> Some of these FOIAs are “fishing expeditions.” .” often rejected. Contrast with the limited FOIAs in §1.3.<sup>440</sup> [wilmington.johnlocke.org/blog/?p=6010](http://wilmington.johnlocke.org/blog/?p=6010)<sup>441</sup> [news.sciencemag.org/scienceinsider/2012/07/update-revised-north-carolina-se.html](http://news.sciencemag.org/scienceinsider/2012/07/update-revised-north-carolina-se.html)<sup>442</sup> [news.sciencemag.org/scienceinsider/2012/07/update-revised-north-carolina-se.html](http://news.sciencemag.org/scienceinsider/2012/07/update-revised-north-carolina-se.html)<sup>443</sup> [www.washingtonpost.com/national/health-science/built-on-sinking-ground-norfolk-tries-to-hold-back-tide-amid-sea-level-rise/2012/06/17/gJQADUsxjV\\_story.html](http://www.washingtonpost.com/national/health-science/built-on-sinking-ground-norfolk-tries-to-hold-back-tide-amid-sea-level-rise/2012/06/17/gJQADUsxjV_story.html)<sup>444</sup> [thinkprogress.org/climate/2012/06/10/496982/virginia-lawmaker-says-sea-level-rise-is-a-left-wing-term-excises-it-from-state-report-on-coastal-flooding/?mobile=nc](http://thinkprogress.org/climate/2012/06/10/496982/virginia-lawmaker-says-sea-level-rise-is-a-left-wing-term-excises-it-from-state-report-on-coastal-flooding/?mobile=nc)