

'Hockey Stick' Creator Michael Mann Seeks Court's Help to Ensure No Inquiry, No 'Exoneration'

ATI

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Dr. Michael Mann, lead author of the discredited "hockey stick" graph that was once hailed by the UN Intergovernmental Panel on Climate Change as the "smoking gun" of the catastrophic man-made global warming theory, has [asked to intervene](#) in American Tradition Institute's Freedom of Information Act [lawsuit](#) that seeks certain records produced by Mann and others while he was at the University of Virginia, for the purpose of keeping them hidden from the taxpayer.

Specifically over the weekend ATI's Environmental Law Center received service from two Pennsylvania attorneys who seek the court's permission to argue for Dr. Mann to intervene in ATI's case. The attorneys also filed [a motion to stay production](#) of documents [still withheld by UVA](#), which are to be provided to ATI's lawyers in roughly two weeks under [a protective order](#) that UVA voluntarily agreed to in May. Dr. Mann's lawyers also desire a hearing in mid-September, in an effort to further delay UVA's scheduled production of records under the order.

Dr. Mann's argument, distilled, is that the court must bend the rules to allow him to block implementation of a transparency law, so as to shield his sensibilities from offense once the taxpayer – on whose dime he subsists – sees the methods he employed to advance the global warming theory and related policies. ATI's Environmental Law Center is not sympathetic.

"Dr. Mann's late-hour tactics offer the spectacle of someone who relies on the media's repeats of his untrue claims of having been 'investigated' and 'exonerated' – that is, when he's not sputtering ad hominem and conspiracy theories to change the subject," said Christopher Horner, director of litigation for ATI's Environmental Law Center. "Mann has tried whatever means possible to ensure he remains free of any serious scrutiny, and this just appears to be his last gasp."

Dr. Mann's move is therefore gratifying, and ATI will agree to his out-of-state lawyers' motion to appear. But ATI will ask the court to uphold Virginia's abundantly clear law, that Dr. Mann has no interest in records that are purely the property of the taxpayer.

ATI will present to the court how Dr. Mann understood, as an unambiguous and agreed-upon condition of his employment, that he had no expectation of privacy when he used UVA's public email system. ATI therefore looks forward to seeing if, given the opportunity, UVA will defend the idea that any of its own policies be upheld in court. Since Dr. Mann has no property interest in the taxpayer-owned records sought by ATI, he has no standing and therefore should not be entered in the case. Dr. Mann wants, after the fact, for UVA to throw out policies he accepted as a condition of living off of taxpayer dollars, in order to cover up public information and to evade scrutiny.



To the extent Dr. Mann, the university, or their obstructionist backers [like Union of Concerned Scientists](#) continue to argue he has been “cleared” or “exonerated,” or that any substantive investigation has taken place, those pleadings are undermined by [their persistent efforts to squelch inquiry](#). As a result, all the public sees is an effort to sweep Climategate revelations under the rug in order to preserve the biggest taxpayer-financed gravy train for science and academia in decades. Hence we see the [Rasmussen Reports poll](#) last month that showed a strong majority of the public believes scientists who study climate change have falsified research data in order to support their own theories and beliefs.

“Virginia’s courts do not brook conspiracy theories as the basis for intervention in run-of-the-mill Freedom of Information Act litigation,” said Dr. David Schnare, director of ATI’s Environmental Law Center. “Dr. Mann – having failed to prevail in the court of public opinion – cannot now strut into court, soap box in hand, and expect a warm welcome.”

See case documents, press releases, media coverage, commentary, broadcast interviews, etc. pertaining to ATI v. University of Virginia by clicking [here](#).

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