



Written by [Selwyn Duke](#) on July 10, 2017

Controversy in the “Climate Science Trial of the Century”

Is global-warming vanguardist Michael Mann in contempt of court or isn't he? Climate realist and Principia Scientific International (PSI) director John O'Sullivan says yes. He [writes](#) that Mann missed a judge's deadline to produce his data in what's dubbed the “climate science trial of the century” and now faces defeat, financial consequences, and possible criminal investigation in the United States. As for Mann, his attorney denies the allegations, calling them “spurious.”



What is this about? Mann had launched a series of punitive lawsuits designed to silence critics, with journalist Mark Steyn, National Review Online, the Competitive Enterprise Institute, and 79-year-old scientist Dr. Timothy Ball being targets. The last one, a libel suit filed six years ago in the British Columbia Supreme Court in Vancouver, resulted in a “Battle of the Graphs” and has, if O'Sullivan can be believed, blown up in Mann's face. *American Thinker's* Timothy Birdnow [provides](#) some background:

Mann is the Penn State climatologist famous for inventing the “hockey stick” graph promoting the notion that planetary temperatures spiked in the 20th century after a Golden Age of stasis. This graph was misleading at a minimum, the product of what [Phil Jones](#), director of the Climate Research Unit of East Anglia termed “Mike's Nature trick” to “hide the decline.” What Mann did was splice two separate data sets together to create the illusion of spiking temperatures; the graph spliced data sets together without differentiation, hiding the global temperature “decline” shown by the [Briffa reconstruction set](#).

Put simply, Mann is said to have used statistical sleight-of-hand to create a temperature graph that omitted the Medieval Warm Period and Little Ice Age, thus making our time appear by far the warmest of the last thousand years. In contrast, Dr. Ball provides a graph indicating that medieval temperatures were higher than today's for close to 300 years. (Both graphs can be found [here](#), and the video below illustrates the difference. Graphs contrasted at 2:57.)

https://www.youtube.com/watch?v=cecmvYq_91A

Mann's now discredited graph nonetheless played a huge role in influencing government policy and was featured in the *Intergovernmental Panel on Climate Change Third Assessment Report* in 2001. Whether or not Mann likes the idea of featuring the data behind it in court is a different matter, however, which brings us to the conflicting claims.

The libel suit against Ball concerns his assertion that Mann is guilty of fraud. As to what has transpired, O'Sullivan (who, it should be noted, is a colleague of Ball, with Ball being a founding member and ex-chairman of PSI) quotes Ball as explaining:

Michael Mann moved for an adjournment of the trial scheduled for February 20, 2017. We had little choice because Canadian courts always grant adjournments before a trial in their belief that an out of court settlement is preferable. We agreed to an adjournment with conditions. The major one was



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that he [Mann] produce all documents including computer codes by February 20th, 2017. He failed to meet the deadline.

As a consequence, O'Sullivan [wrote](#) on July 4 that Ball

is expected to instruct his British Columbia attorneys to trigger mandatory punitive court sanctions, including a ruling that Mann **did** act with criminal intent when using public funds to commit climate data fraud. Mann's imminent defeat is set to send shock waves worldwide within the climate science community as the outcome will be both a legal and scientific vindication of U.S. President Donald Trump's claims that climate scare stories are a "hoax."

... Mann's now proven contempt of court means Ball is entitled to have the court serve upon Mann the fullest punishment. Contempt sanctions could reasonably include the judge ruling that Dr. Ball's statement that Mann "belongs in the state pen, not Penn. State" is a precise and true statement of fact. This is because under Canada's unique 'Truth Defense', Mann is now proven to have willfully [sic] hidden his data, so the court may rule he hid it because it is fake. As such, the court must then dismiss Mann's entire libel suit with costs awarded to Ball and his team.

Mann's attorney, Roger McConchie, contradicted this July 6 at Mann's Facebook page, [writing](#):

Contrary to the nonsensical allegations made by John O'Sullivan in his July 4 posted [sic] on [climatechangedispatch.com](#) and elsewhere, plaintiff Michael Mann has fully complied with all of his disclosure obligations to the defendant Tim Ball relating to data and other documents.

No judge has made any order or given any direction, however minor or inconsequential, that Michael Mann surrender any data or any documents to Tim Ball for any purpose.

Accordingly it should be plain and obvious to anyone with a modicum of common sense that Mann could not possibly be in contempt of court.

So whether or not the Canadian court's judgment will heat things up for Mann or Ball remains to be seen. What is for sure is that someone is telling a whopper of a lie.



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