

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

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MICHAEL E. MANN, PH. D.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2012 CA 008263 B
	)	Judge Jennifer M. Anderson
NATIONAL REVIEW, INC. <i>et al.</i> ,	)	Status Hearing: June 22, 2020
	)	
Defendants.	)	
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**PLAINTIFF’S RESPONSES TO DEFENDANT STEYN’S FIRST SET OF  
REQUESTS FOR ADMISSION TO PLAINTIFF**

Pursuant to Rules 26 and 36 of the Superior Court Rules of Civil Procedure, Plaintiff Michael E. Mann, Ph.D. (“Plaintiff” or “Dr. Mann”) responds to the First Set of Requests for Admission served by Defendant Mark Steyn (“Steyn”) as follows:

**GENERAL OBJECTIONS**

1. Dr. Mann objects to the requests to the extent that they refer to statements about which Dr. Mann is unaware.

**RESPONSES TO REQUESTS FOR ADMISSION**

1. Admit that on the following dates you made the following statements using the Twitter account @MichaelEMann:

- a. March 17, 2012: “Telegraph’s climate change denier and dissembler Miranda Devine doesn’t like my book (and lies about my work).”
- b. March 19, 2012: “@mirandadevine wow, do you actually believe your own nonsense? Disappointingly, I suspect not. As I said, shameful. Truly shameful.”
- c. June 29, 2012: “Is there \*anyone\* left who believes \*anything\* #Heartland Institute has to say?? #dishonest #hackery #fail.”

- d. July 22, 2012: “@RyanRadia, Oh, you are with \*CEI\*, front group dedicated to dishonest smears & promotion of disinformation.”
- e. October 22, 2012: “Hmmm. Was #climatechange #contrarian Judith Curry taken in by a denialist ‘Sokal Hoax’ (hint: Lakos spelled backwards)?”
- f. October 25, 2012: “Christopher Horner—hired gun of fossil fuel industry front groups #ATI and #CEI—lied about ‘demonstrably.’”
- g. March 17, 2013: “#JamesTaylorNotMusician of discredited #HeartlandInst & other hacks spin disinformation about new #ExtendedHockeyStick study #KochMachine.”
- h. April 2, 2013: “On #denier ‘Lord’ #Monckton: ‘has no training & has studiously avoided learning anything about science’ via @NZHerald (web link).”
- i. August 2, 2013: “What’s more pathetic? The discredited #HeartlandInstitute (web link) or the mindless #trolls who promote their ignorance?”
- j. August 12, 2013: “Sorry Sam, but your quick turn to name-calling betrays a lack of substantive ideas on your part. Bye.”
- k. August 28, 2013: “Being attacked by the #WashingtonTimes is like being attacked by a discount brand toilet paper. Best response is to flush . . .”
- l. December 24, 2014: “Read about tinfoil hat-wearing conspiracy theory monger & climate change denier #JamesDelingpole in #HSCW (web link) #Nutters.”
- m. October 3, 2015: “I had to block convicted felon #ConradBlack who has been reduced to an online troll. His rap sheet: (web link).”
- n. June 27, 2016: “Cowardly troll of the day: [personal email address redacted].”
- o. September 10, 2017: “I was shocked, SHOCKED when I looked at your twitter feed and learned you’re a right wing troll. Please stay & play in your troll sandbox.”
- p. December 5, 2017: “Yes, professional climate change deniers are basically just horrible human beings.”
- q. December 25, 2017: “Pruitt and his ilk are toxic and dangerous-to the entire planet. They represent an existential threat to humanity and must be treated that way.”
- r. January 7, 2018: ““To get a sense of just how awful a human being #TimBlair actually is, read this (website link) No surprise of course that only #RupertMurdoch would promote such a misogynistic ogre.”
- s. January 7, 2018: “Tim Blair is ONE of the worst people in the world. But it is his employer, Rupert Murdoch—THE worst person in the world—who facilitates his indecent, bilious assaults on humanity. There’s a special place down under for them both—they better hope there isn’t a hell.”

t. January 31, 2019: “Your avatar is clearly not you. No actual dog could be this ignorant . . .”

u. June 6, 2019: “I feel very sorry for your kids. They’ve got a doofus for a dad.”

v. September 5, 2019: “Calling the hockey stick a ‘theory’ is a dead giveaway that you haven’t the faintest clue what you’re talking about. You’re just brandishing a tribal shibboleth (no worries—I defined that for you too ).”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Mann’s. Dr. Mann further objects to the extent the alleged statements post-date Defendants’ statements, and therefore have no relevance to the issues of the case.

2. Admit that you were not subject to Legal Action for any statement set forth in Request 1.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Whether Dr. Mann has ever been subject to Legal Action has no bearing on whether Defendants should be held liable for the defamatory statements that are at issue here.

3. Admit that on February 4, 2005, you wrote in an email to Andy Revkin: “[t]he McIntyre and McKittrick paper is pure scientific fraud.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Mann’s.

4. Admit that in a January 27, 2005 post to the website [realclimate.org](http://realclimate.org) you wrote, “Following the all-too-familiar pattern, this deeply flawed paper was heavily promoted by special interests as somehow challenging the scientific consensus that humans are altering the climate.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Mann’s.

5. Admit that you wrote “Following the all-too-familiar pattern, this deeply flawed paper was heavily promoted by special interests as somehow challenging the scientific consensus that humans are altering the climate,” in reference to the 2004 academic paper by Steve McIntyre and Ross McKittrick.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Mann’s.

6. Admit that in a January 27, 2005 post to the website realclimate.org you wrote, “MM however, continue to promote false and specious claims.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Mann’s.

7. Admit that you wrote “MM however, continue to promote false and specious claims,” in reference to the 2004 academic paper by Steve McIntyre and Ross McKittrick.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Mann’s.

8. Admit that in a January 27, 2005 post to the website realclimate.org you wrote, “Sifting through a large number of false and misleading statements in this latest paper, there are two primary criticisms of MBH98 that they raise, both of which are demonstrably specious.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Mann’s.

9. Admit that you wrote “Sifting through a large number of false and misleading statements in this latest paper, there are two primary criticisms of MBH98 that they raise, both of which are demonstrably specious,” in reference to the 2004 academic paper by Steve McIntyre and Ross McKittrick.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Mann’s.

10. Admit that on March 31, 2011, Dr. John Christy of the University of Alabama in Huntsville testified before members of the United States House of Representatives that you “misrepresented the temperature record of the past 1,000 years.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Christy’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

11. Admit that you were aware that Dr. John Christy testified that you “misrepresented the temperature record of the past 1,000 years,” at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Christy’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

12. Admit that you came to learn that Dr. John Christy testified that you “misrepresented the temperature record of the past 1,000 years.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Christy’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.



13. Admit that you have not taken any Legal Action against Dr. John Christy on the basis of his statement that you “misrepresented the temperature record of the past 1,000 years.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Christy’s. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

14. Admit that you have not taken any other action against Dr. John Christy on the basis of his statement that you “misrepresented the temperature record of the past 1,000 years.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Christy’s. Dr. Mann further objects to this request because the phrase “any other action” is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

15. Admit that in 2009, Dr. Madhav Khandekar of Environment Canada stated in the Canadian Frontier Centre for Public Policy Newsletter “Conversations from the Frontier,” Issue No. 122, that “most scientists dismiss the hockey stick.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Khandekar’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

16. Admit that you were aware that Dr. Madhav Khandekar stated that “most scientists dismiss the hockey stick,” at the time his statement was published.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Khandekar’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to

any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

17. Admit that you came to learn that Dr. Madhav Khandekar stated that “most scientists dismiss the hockey stick.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Khandekar’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

18. Admit that you have not taken any Legal Action against Dr. Madhav Khandekar on the basis of his statement that “most scientists dismiss the hockey stick.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements

are at issue in this case, not Dr. Khandekar's. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

19. Admit that you have not taken any other action against Dr. Madhav Khandekar on the basis of his statement that "most scientists dismiss the hockey stick."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Khandekar's. Dr. Mann further objects to this request because the phrase "any other action" is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

20. Admit that in 2008 Dr. Michael R. Fox of the University of Idaho wrote to the United States Environmental Protection Agency that "We now know that the hockey stick graph is fraudulent."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve

requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Fox's. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

21. Admit that you were aware that Dr. Michael R. Fox wrote that "We now know that the hockey stick graph is fraudulent," at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Fox's. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

22. Admit that you came to learn that Dr. Michael R. Fox stated that "We now know that the hockey stick graph is fraudulent."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6,

2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Fox's. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

23. Admit that you did not take any Legal Action against Dr. Michael R. Fox on the basis of his statement.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Fox's. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

24. Admit that you did not take any other action against Dr. Michael R. Fox on the basis of his statement that "We now know that the hockey stick graph is fraudulent."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Fox’s. Dr. Mann further objects to this request because the phrase “any other action” is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

25. Admit that on October 15, 2004, Dr. Richard Muller of the University of California at Berkeley wrote in the MIT Technology Review that “a phony hockey stick is more dangerous than a broken one.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Muller’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

26. Admit that you were aware that Dr. Richard Muller wrote that “a phony hockey stick is more dangerous than a broken one,” at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Muller’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

27. Admit that you came to learn that Dr. Richard Muller stated that “a phony hockey stick is more dangerous than a broken one.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Muller’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.



28. Admit that you did not take any Legal Action against Dr. Richard Muller on the basis of his statement that “a phony hockey stick is more dangerous than a broken one.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Muller’s. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

29. Admit that you did not take any other action against Dr. Richard Muller on the basis of his statement that “We now know that the hockey stick graph is fraudulent.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Muller’s. Dr. Mann further objects to this request because the phrase “any other action” is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

30. Admit that in March 2005 Dr. Lars Kamel of Mid Sweden University wrote in an online post titled “The Rise and Fall of a Hockey Stick” that “It came as no surprise to me when several new investigations showed that the hockey stick analyses were full of faults and errors.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Kamel’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

31. Admit that you were aware that Dr. Lars Kamel wrote that “It came as no surprise to me when several new investigations showed that the hockey stick analyses were full of faults and errors,” at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Kamel’s. By way of further objection, the alleged

statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

32. Admit that you came to learn that Dr. Lars Kamel stated that “It came as no surprise to me when several new investigations showed that the hockey stick analyses were full of faults and errors.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Kamel’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

33. Admit that you did not take any Legal Action against Dr. Lars Kamel on the basis of his statement that “It came as no surprise to me when several new investigations showed that the hockey stick analyses were full of faults and errors.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it

do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Kamel's. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

34. Admit that you did not take any other action against Dr. Lars Kamel on the basis of his statement that "It came as no surprise to me when several new investigations showed that the hockey stick analyses were full of faults and errors."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Kamel's. Dr. Mann further objects to this request because the phrase "any other action" is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

35. Admit that at the 2012 Swiss Energy & Climate Summit in Bern, Switzerland, Dr. Fritz Vahrenholt of the University of Hamburg stated that "Mann's stick was phony."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Vahernholt’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

36. Admit that you were aware that Dr. Fritz Vahrenholt stated that “Mann’s stick was phony,” at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Vahernholt’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

37. Admit that you came to learn that Dr. Fritz Vahrenholt stated that “Mann’s stick was phony.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Vahrenholt’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

38. Admit that you did not take any Legal Action against Dr. Fritz Vahrenholt on the basis of his statement that “Mann’s stick was phony.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Vahrenholt’s. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

39. Admit that you did not take any other action against Dr. Fritz Varenholt on the basis of his statement that “Mann’s stick was phony.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Vahrenholt’s. Dr. Mann further objects to this request because the phrase “any other action” is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

40. Admit that on September 21, 2008, Dr. Lubos Motl, formerly of Harvard University, wrote on his personal blog that the hockey stick graph paper is “an example of scientific fraud.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Motl’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to

any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

41. Admit that you were aware that Dr. Lubos Motl stated that the hockey stick graph paper is “an example of scientific fraud,” at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Motl’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

42. Admit that you came to learn that Dr. Lubos Motl stated that the hockey stick graph paper is “an example of scientific fraud.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements



are at issue in this case, not Dr. Motl's. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

43. Admit that you did not take any Legal Action against Dr. Lubos Motl on the basis of his statement that the hockey stick graph paper is "an example of scientific fraud."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Motl's. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

44. Admit that you did not take any other action against Dr. Lubos Motl on the basis of his statement that the hockey stick graph paper is "an example of scientific fraud."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information

that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Motl's. Dr. Mann further objects to this request because the phrase "any other action" is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

45. Admit that on December 12, 2009, Dr. Zbigniew Jaworowski, former Chairman of the United Nations Scientific Committee on the Effects of Atomic Radiation, told the Polish daily newspaper Our Journal that the hockey stick graph researchers "are guilty of brazen fraud."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Jaworowski's. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

46. Admit that you were aware that Dr. Zbigniew Jaworowski stated that the hockey stick graph researchers "are guilty of brazen fraud" at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6,

2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Jaworowski's. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

47. Admit that you came to learn that Dr. Zbigniew Jaworowski stated that the hockey stick graph researchers "are guilty of brazen fraud."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Jaworowski's. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

48. Admit that you did not take any Legal Action against Dr. Zbigniew Jaworowski on the basis of his statement that the hockey stick graph researchers "are guilty of brazen fraud."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Jaworowski’s. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

49. Admit that you did not take any other action against Dr. Zbigniew Jaworowski on the basis of his statement that the hockey stick graph researchers “are guilty of brazen fraud.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Jaworowski’s. Dr. Mann further objects to this request because the phrase “any other action” is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

50. Admit that on October 6, 2010, Dr. Harold Lewis of the University of California at Santa Barbara, wrote in his resignation letter to the president of the American Physical Society that global warming studies represented “the greatest and most successful pseudoscientific fraud I have seen in my long life as a physicist.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Lewis’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

51. Admit that you were aware that Dr. Harold Lewis stated that global warming studies represented “the greatest and most successful pseudoscientific fraud I have seen in my long life as a physicist” at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Lewis’s. By way of further objection, the alleged

statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

52. Admit that you came to learn that Dr. Harold Lewis stated that global warming studies represented “the greatest and most successful pseudoscientific fraud I have seen in my long life as a physicist.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Lewis’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

53. Admit that you did not take any Legal Action against Dr. Harold Lewis on the basis of his statement that global warming studies represented “the greatest and most successful pseudoscientific fraud I have seen in my long life as a physicist.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it

do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Lewis's. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

54. Admit that you did not take any other action against Dr. Harold Lewis on the basis of his statement that global warming studies represented "the greatest and most successful pseudoscientific fraud I have seen in my long life as a physicist."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Lewis's. Dr. Mann further objects to this request because the phrase "any other action" is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

55. Admit that Dr. Hamish Campbell of the New Zealand Institute of Geological and Nuclear Sciences stated that "Mann's 'hockey stick' has indeed been substantively discredited."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Campbell’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

56. Admit that you were aware that Dr. Hamish Campbell stated that “Mann’s ‘hockey stick’ has indeed been substantively discredited,” at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Campbell’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.



57. Admit that you came to learn that Dr. Hamish Campbell stated that “Mann’s ‘hockey stick’ has indeed been substantively discredited.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Campbell’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

58. Admit that you did not take any Legal Action against Dr. Hamish Campbell on the basis of his statement that “Mann’s ‘hockey stick’ has indeed been substantively discredited.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Campbell’s. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

59. Admit that you did not take any other action against Dr. Hamish Campbell on the basis of his statement that “Mann’s ‘hockey stick’ has indeed been substantively discredited.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Campbell’s. Dr. Mann further objects to this request because the phrase “any other action” is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

60. Admit that on November 27, 2009, Dr. Eduardo Zorita of the Institute for Coastal Research in Germany wrote on the GKSS website that “the scientific assessments in which [you] may take part are not credible anymore.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Zorita’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to

any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

61. Admit that you were aware that Dr. Eduardo Zorita stated that “the scientific assessments in which [you] may take part are not credible anymore,” at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Zorita’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

62. Admit that you came to learn that Dr. Eduardo Zorita stated that “the scientific assessments in which [you] may take part are not credible anymore.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements

are at issue in this case, not Dr. Zorita's. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

63. Admit that you did not take any Legal Action against Dr. Eduardo Zorita on the basis of his statement that "the scientific assessments in which [you] may take part are not credible anymore."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Zorita's. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

64. Admit that you did not take any other action against Dr. Eduardo Zorita on the basis of his statement that "the scientific assessments in which [you] may take part are not credible anymore."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it

do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Zorita's. Dr. Mann further objects to this request because the phrase "any other action" is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

65. Admit that Dr. G. Kornelis Van Kooten of the University of Virginia wrote that "the 'hockey stick' story has now been thoroughly discredited. There is no scientific basis to support this view in the world."

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Van Kooten's. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

66. Admit that you were aware that Dr. G. Kornelis Van Kooten stated that “the ‘hockey stick’ story has now been thoroughly discredited. There is no scientific basis to support this view in the world,” at the time he said it.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Van Kooten’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

67. Admit that you came to learn that Dr. G. Kornelis Van Kooten stated that “the ‘hockey stick’ story has now been thoroughly discredited. There is no scientific basis to support this view in the world.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Van Kooten’s. By way of further objection, the alleged statement was not made in any peer reviewed publications, and therefore is irrelevant to

any issue regarding factual truth. Nor did Mr. Steyn rely upon the alleged statement, and therefore it is irrelevant to any issue regarding state of mind.

68. Admit that you did not take any Legal Action against Dr. G. Kornelis Van Kooten on the basis of his statement that “the ‘hockey stick’ story has now been thoroughly discredited. There is no scientific basis to support this view in the world.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information that is not relevant to any party’s claim or defense in this case. Defendants’ statements are at issue in this case, not Dr. Van Kooten’s. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

69. Admit that you did not take any other action against Dr. G. Kornelis Van Kooten on the basis of his statement that “the ‘hockey stick’ story has now been thoroughly discredited. There is no scientific basis to support this view in the world.”

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court’s June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission. Dr. Mann further objects to this request as seeking information

that is not relevant to any party's claim or defense in this case. Defendants' statements are at issue in this case, not Dr. Van Kooten's. Dr. Mann further objects to this request because the phrase "any other action" is inherently vague. Moreover, whether Dr. Mann took any action, legal or otherwise, with respect to the alleged statement has no legal relevance to this case.

70. Admit that you are a member of the National Academy of Sciences.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission.

71. Admit that you were elected to the National Academy of Sciences on April 27, 2020.

**RESPONSE:** Dr. Mann objects to this request as untimely. Under the court's June 5, 2019 Scheduling Order, the deadline to serve written discovery requests was January 6, 2020. The court never extended or modified that deadline, nor did Steyn request that it do so. Rather, Steyn waited nearly four months after the deadline expired to serve requests for admission.



Dated: June 1, 2020

Respectfully submitted,

*/s/ John B. Williams*

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of June 2020, a copy of the foregoing Responses to Defendant Steyn's First Set of Requests for Admission was served via email on the following:

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