WRITTEN BY JOHN O'SULLIVAN ON AUG 24, 2019. POSTED IN LATEST NEWS

Breaking: Dr. Tim Ball Defeats Michael 'Hockey Stick' Mann's Climate Lawsuit

[Updated Aug. 24, 2019, here]

The Supreme Court of British Columbia has dismissed Dr. Michael Mann's defamation lawsuit against skeptical Canadian climatologist Dr. Tim Ball. Full legal costs were awarded to Dr. Ball, the defendant in the case.

The Canadian court issued its final ruling in favor of the Dismissal motion that was filed May 2019 by Dr. Tim Ball's libel lawyers.

Mann's "hockey stick" graph, first published in 1998, was featured prominently in the U.N. IPCC 2001 climate report.

The graph showed a spike in global average temperature in the 20th Century after about 500 years of stability. Skeptics have long claimed Mann's graph was fraudulent.

On Friday morning (August 23, 2019) Dr. Ball sent an email to WUWT revealing:

> "Michael Mann's Case Against Me Was Dismissed This Morning By The BC Supreme Court And They Awarded Me [Court] Costs."

Professor Mann is a climate professor at Penn State University. Mann filed his action in 2010 for Ball's allegedly libelous statement that Mann ***"belongs in the state pen, not Penn State."***

The final court ruling, in effect, vindicates Ball's criticisms.

On Feb. 03, 2010, a self-serving and superficial academic 'investigation' by Pennsylvania State University had cleared Mann of misconduct. Mann also falsely claimed the NAS found nothing untoward with his work.

But the burden of proof in a court of law is higher.

Not only did the B.C. Supreme Court grant Ball's application for dismissal of the nine-year, multi-million dollar lawsuit, it also took the additional step of awarding full legal costs to Ball.

Michael Mann (Left) filed a SLAPP suit against Dr. Tim Ball. It didn't end well.

A more detailed public statement from the world-renowned skeptical climatologist is expected in due course.

This extraordinary outcome will likely trigger severe legal repercussions for Dr. Mann in the U.S. and may prove fatal to alarmist climate science claims that modern temperatures are "unprecedented."

According to the leftist *The Guardian* newspaper (Feb. 09, 2010), the wider importance of Mann's graph over the last 20 years is massive:

> "Although it was intended as an icon of global warming, the hockey stick has become something else – a symbol of the conflict between mainstream climate scientists and their critics."

Under court rules, Mann's legal team have up to 30 days to file an appeal. For readers interested in accessing the court website directly, use this link.

'Hockey Stick' Discredited by Statisticians in 2003

In 2003 a Canadian study showed the "hockey stick" curve "***is primarily an artifact of poor data handling, obsolete data and incorrect calculation of principal components.***" When the data was corrected it showed a warm period in the 15th Century that exceeded the warmth of the 20th Century.

So, the graph was junk science. But the big question then became: did Mann intentionally falsify his graph from motivation to make a profit and/or cause harm (i.e. commit the five elements of criminal fraud)?

No one could answer that question unless Mann surrendered his numbers. He was never going to do that voluntarily – or face severe consequences for not doing so – that is, until Dr. Ball came into the picture!

Dr Ball's legal team adroitly pursued the 'truth defense' such that the case boiled down to whether Ball's words (***"belongs in the state pen, not Penn State")*** fairly and accurately portrayed Mann i.e. Mann knowingly and criminally misrepresented his claims by using statistical fakery (see: '**Mike's trick**' below).

In the pre-trial Discovery Process, the parties must give up key evidence in a reasonable fashion, that proves or disproves the Claim.

Dr. Mann lost his case because he abused Discovery by refusing to honor the "concessions" he made to Ball in 2018 to finally show in open court his R2 regression numbers (Mann's math 'working out') for his graph (see 'update' at foot of article).

Dr. Ball has always argued that those numbers—if examined in open court—would prove Mann was motivated to commit a criminal fraud.

The graph first appeared in the UN IPCC 2001 Third Assessment Report (TAR) and has been an iconic image used ever since by environmentalists clamoring for urgent action on man-made global warming.

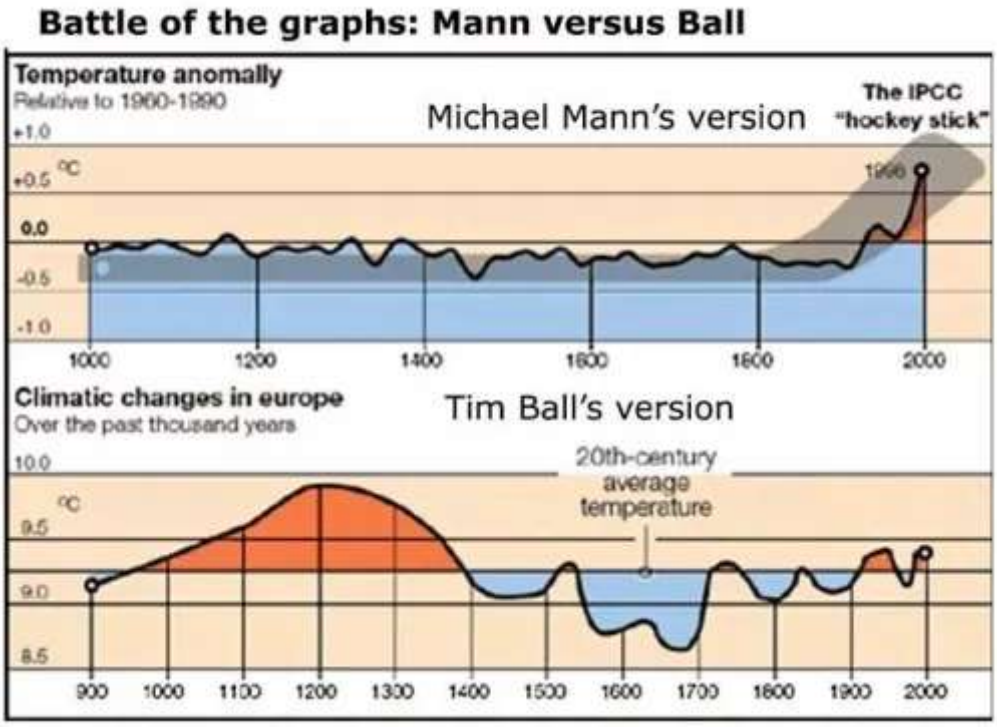
The mainstream media has long acclaimed Mann as "a world-leading climate scientist" and last year was heralded as their champion to help dethrone "climate denier" President Trump.

Will U.S. President initiate an investigation into the now disgraced "world-leading climate change scientist"?

Indeed, not just a fawning MSM, but many hundreds of subsequent climate studies have relied on Mann's findings. Mann's reputation was such, that most climate researchers merely accepted his graph, a typical example of groupthink.

Dr. Ball has long warned that if the world was permitted to see behind the secrecy they would be shocked at just how corrupt and self-serving are those 'scientists' at the forefront of man-made global warming propaganda.

As anyone can tell by contrasting and comparing the graphs below (Ball's version top, Mann's below) it is obvious there exists a massive discrepancy in the findings.



Above: contrast and compare Dr. Mann's dodgy graph with Dr. Ball's more reliable version and see how Mann fraudulently altered the proxy climate date with a 'hockey stick' shape to falsely show the dramatic uptick with modern temperatures rising 'catastrophically' to fit the fake UN IPCC doomsaying narrative.

Did Skeptics Prove that Mann's Graph was Deliberately Faked?

Answer: No. This is because Mann has always refused to release the R2 regression numbers for independent examination. He claimed he had "proprietary rights" over them (i.e. personally valuable intellectual work product). So "valuable" it was worth losing a multi-million dollar lawsuit and his reputation to keep them hidden.

Statistical experts, deprived by the secretive Mann of the conclusive proof of intent, have nonetheless established that the hockey stick graph uptick relies on the proxy evidence from the tree rings of **a single Yamal larch tree!**

Putting Mann's Fraudulent Graph Under the Microscope

Mann's goal was to make the Little Ice Age (LIA) disappear, as we explained in our previous article on this issue. The LIA was an especially cold era that ended around 1840 and since then global temperatures have gradually risen.

But government 'experts' like Mann have sought to use statistical trickery to make such natural variation appear as 'man-made' warming.

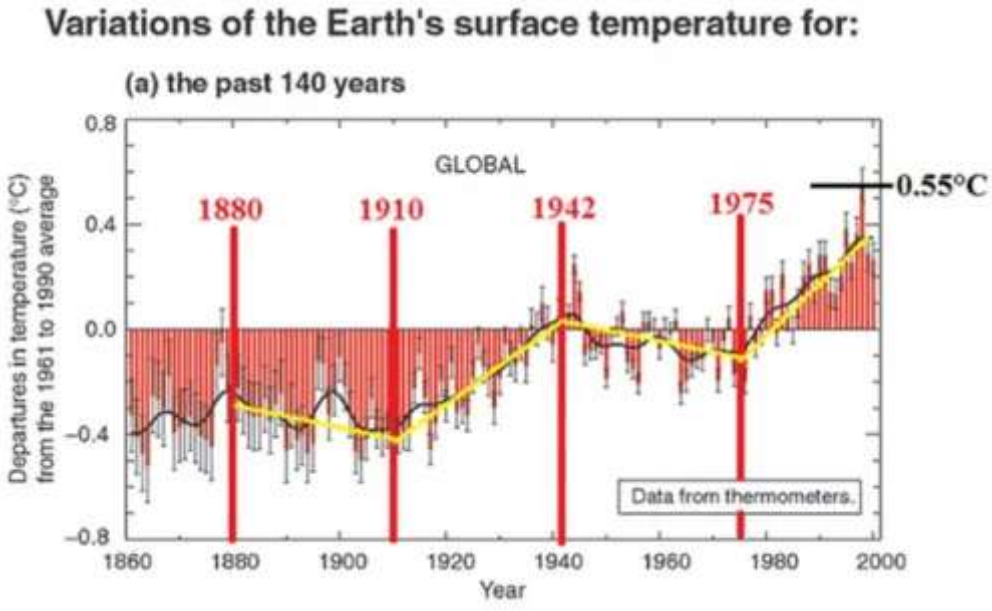
Apart from playing with statistics Mann made his proxy fit the thermometer data by adding thermometer values to the proxy values known as "**mikes trick"** in the climate gate email scandal.

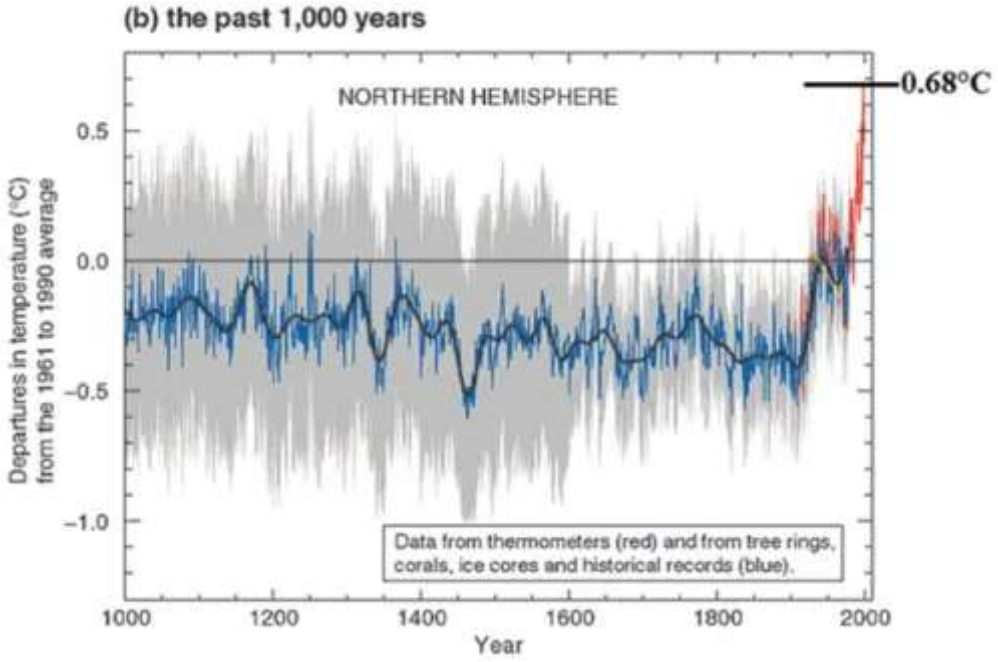
In them, Professor Phil Jones, Britain's top climate scientist at the University of East Anglia, wrote to his alarmist colleagues (some analysis here).

The email, sent by Prof Phil Jones of the CRU in 1999, states (bold added):

> Dear Ray, Mike and Malcolm,
>
> Once Tim's got a diagram here we'll send that either later today or first thing tomorrow.
>
> **I've just completed Mike's Nature trick of adding in the real temps to each series for the last 20 years** (ie from 1981 onwards) and from 1961 for Keith's to **hide the decline.**
>
> Mike's series got the annual land and marine values while the other two got April-Sept for NH land N of 20N.
>
> The latter two are real for 1999, while the estimate for 1999 for NH combined is +0.44C wrt 61-90.
>
> The Global estimate for 1999 with data through Oct is +0.35C cf. 0.57 for 1998.
>
> Thanks for the comments, Ray.
>
> Cheers
>
> Phil

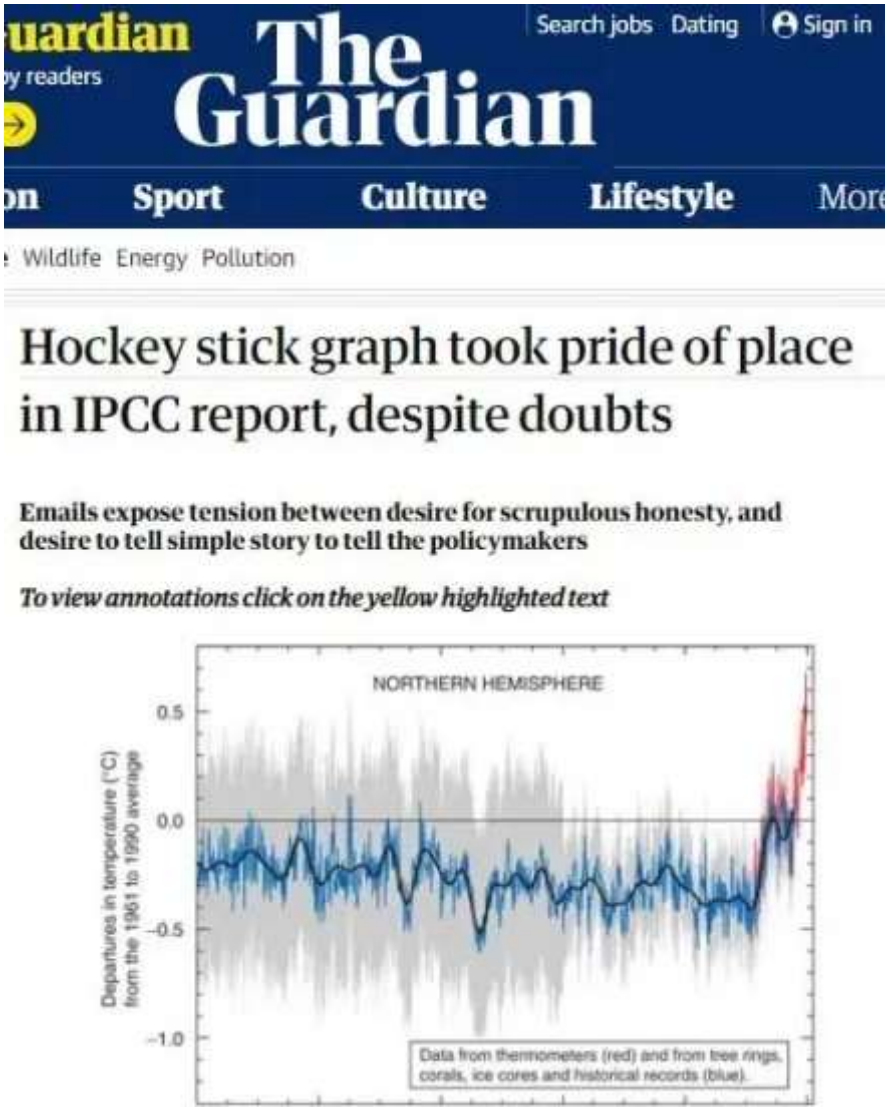
This has the Hockey Stick Graph **showing the same cooling from 1942 to 1975** as the HadCRUT3 data as posted in the IPCC 2001 AR3:





In 1942, there was just 4.0 Gt of emissions increasing to 17.1 Gt by 1975, but since that time, a 425% increase in CO2 emissions didn't cause any global warming during that 33-year period; the conjecture that CO2 emissions caused (catastrophic) global warming was proven false.

Readers interested in gaining a deeper understanding of what is likely to eventually be exposed as a criminal conspiracy between Mann and other 'elite' researchers should see "The Hockey Stick Illusion" by Andrew Montford.



A Victory That Comes At Great Personal Cost

Behind the scenes, gathering the resources, mental, scientific and financial, there is an untold burden of defending these cynical SLAPP suits.

Lest readers forget, it is mostly in the service of misguided public policy, with massive funding and connivance from political operators in play, that fake scientists like Michael Mann and Andrew Weaver acquired such esteemed public positions.

They are not only despicable human beings they are a disgrace to all decent scientists.

Readers will be aware that this author has been a staunch friend and ally to Tim throughout the hardships of this protracted nine-year legal battle.

Our reputations were routinely trashed by our enemies, so it is sweet justice that the court has now given legal credence to Tim's famous words that Michael Mann "***belongs in the state pen, not Penn State***," a comical reference to the fraudulent 'hockey stick' graph that knowledgeable scientists knew to be fakery.

[*Author's Note: Being very much a party to these legal proceedings (having provided Dr. Ball with the financial security of a legally-binding indemnity in the event Tim lost) it is a monumental vindication of my faith in Tim's cause. In effect, I 'bet the farm' on Tim winning, as graciously reported by Jo Nova (below)*]

Video: Dr. Ball speaks on the Importance of the Mann Lawsuit

Knowingly Fraudulent and Corrupt

In 2o18, as Tim Ball was winning "concessions" from Mann's legal team in Canada, south of the border, (on April 20) Mann wrote in Scientific American, still barking up the wrong tree pompously pronouncing:

> **"Yet, in the 20 years since the original hockey stick publication, independent studies, again and again, have overwhelmingly reaffirmed our findings, including the key conclusion: recent warming is unprecedented over at least the past millennium."**

Gullible greens and self-serving politicians swallowed up this garbage.

Dr. Ball Expresses Gratitude to Principia Scientific International

Speaking in this 2018 video on the gravity of what some scientists have called "The science trial of the Century," Dr. Ball revealed his gratitude to his colleagues at Principia Scientific:

Dr. Tim Ball:

> I know John O'Sullivan who set up the Principia site and I know I wrote a foreword and a chapter in one of the books they produced called *Slaying the Sky Dragon*.
>
> John O'Sullivan comes from his anti-government [stance], very legitimately and unfortunately, it's not until you've actually directly personally experienced that; challenging the government – that you realize how nasty they can get. So John knows very well how nasty these things can get – that anyone that dares to challenge the authorities.
>
> And so, Principia was set up for that reason, and John was the one that helped me set up the PayPal so people could help me financially so, that's my disclaimer with that."

As Jo Nova reported on the joannenova.com.au blog:

> "John O'Sullivan is putting in above and beyond what any single skeptical soul ought to.
>
> He's already been a key figure helping Tim Ball in the legal fight with the UVA establishment, which has spent over a million dollars helping Michael Mann to hide emails.
>
> The case was launched by Michael Mann, but could turn out to do a huge favor to skeptics — the discovery process is a powerful tool, and we all know who has been hiding their methods, their data, and their work-related correspondence.
>
> Tim Ball and John O'Sullivan are helping all the free citizens of the West. The burden should not be theirs alone. There are many claims for help at the moment, but that is a sign that the grand scam is coming to a head. Jo"

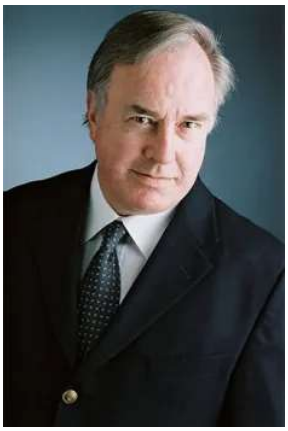
Two Out Of Two Major Court Wins By Ball Versus Junk IPCC Scientists

Dr. Ball, now affirmed as a courageous champion of honest science, has assured his place in the history of climate science. His gift to the world was giving up nine of his senior years, when he could have been enjoying his retirement, to exposing key players in the biggest scientific fraud of all time.

People too easily forget Dr. Ball has defeated in expensive legal battles not just one top UN IPCC climate scientists, but two!

This latest victory is the second this champion of climate skepticism has enjoyed in the last 18 months in this same jurisdiction – both for "defamation," both multi-million dollar climate science claims.

We reported (February 15, 2018) on Dr. Ball's first crucial courtroom win against Dr. Andrew Weaver (photo, above), another elite junk scientist (a UN IPCC Lead Author in climate modeling) and British Columbia Green Party Leader.



Pointedly, at the time, Dr. Ball wanted to emphasize an extremely salient fact:

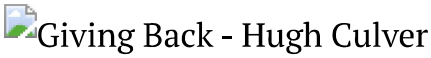
> "While I savor the victory, people need to know that it was *the second of three lawsuits all from the same lawyer*, Roger McConchie, (photo, right) in Vancouver on behalf of members of the Intergovernmental Panel on Climate Change (IPCC)."

In effect, there is more than mere coincidence that Dr. Ball, a world-leading skeptical climatologist, was systematically targeted for legal retribution time and again by political groups such as the unscrupulous Climate Science Legal Defense Fund.

As a retired scientist in his 80's, Tim was a 'soft target' and the stress of these lawsuits put an enormous toll on his health.

Not to be outdone, Tim has used his time wisely to write a damning book of the 30-year back story of the great climate fraud titled 'The Deliberate Corruption of Climate Science' and I heartily recommend that interested readers buy it.

It is also not often reported that the funding in Canada for these extravagant **SLAPP lawsuits** is believed to be from the David Suzuki Foundation, a hothouse for extreme environmental advocacy and Big Green policy promotion.


Giving Back - Hugh Culver

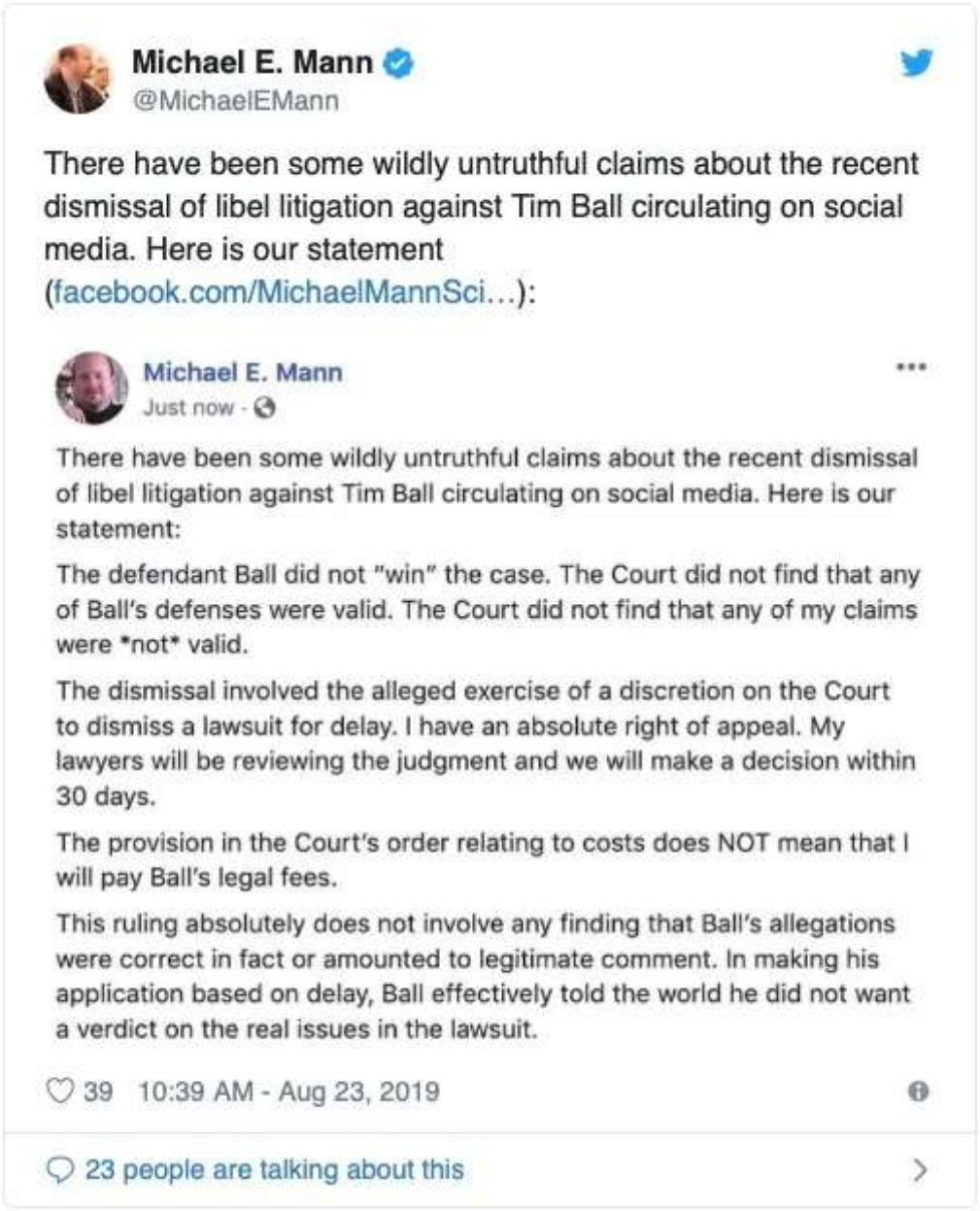
What is a 'Strategic lawsuit against public participation' (SLAPP Suit)?

Wikipedia offers a fair definition:

> "A **strategic lawsuit against public participation** (**SLAPP**) is a lawsuit that is intended to censor, intimidate, and silence critics by burdening them with the cost of a legal defense until they abandon their criticism or opposition. Such lawsuits have been made illegal in many jurisdictions on the grounds that they impede freedom of speech.
>
> In the typical SLAPP, the plaintiff does not normally expect to win the lawsuit. The plaintiff's goals are accomplished if the defendant succumbs to fear, intimidation, mounting legal costs, or simple exhaustion and abandons the criticism. In some cases, repeated frivolous litigation against a defendant may raise the cost of directors and officers liability insurance for that party, interfering with an organization's ability to operate. A SLAPP may also intimidate others from participating in the debate."

Update August 24, 2019:

Dr. Mann Has Posted On Twitter A Reply:



For those that Mann has blocked on Twitter, Mann's Facebook statement is here. [Feel free to leave a comment]

In short, Mann's ugly responsive legal statement is (a) stark admission he lost fair and square, and (b) a disingenuous argument that the Dismissal was granted merely on the basis of Mann's "delay" is not submitting his R2 numbers in timely fashion.

Well, Mikey, Tim Gave You A Whole NINE YEARS To Get Your Case Together!

On that point, this is where readers may wish to refer to the article 'Fatal Courtroom Act Ruins Michael 'Hockey Stick' Mann' (July 4, 2017). In it, we offered analysis as to Mann's fatal legal error. As Dr. Ball explained at that time:

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

As I explained in the article, Mann (and his crooked lawyer) had shown bad faith, thereby rendering his case liable for dismissal. I urged Tim to pursue that winning tactic and thankfully he did.

Read more at PSI

Comments (8)

CLIMATEPOET

AUG 24, 2019 AT 1:26 PM | #

It's time for "Tricky-Mike" the Scam Mann to be slapped (no pun intended) with criminal lawsuits in America, where he can face the blunt club of justice, and justifiable serve hard time for his crimes against humanity.
This vile, slimy snake (I hate to insult snakes) is the Climate Cult's Bernie Madoff.

May justice be served!

CLAIRE PROTEAU

AUG 28, 2019 AT 11:23 AM | #

This is by far the biggest scam in man history. Just because some scientists says it is true doesn't make it the truth. Just follow where their money comes from and it will be easy to figure out the rest. The real scientists are being block telling the truth. Bilderberg Group anyone!!

STEVE

AUG 24, 2019 AT 1:27 PM | #

This is awesome news against that lying snake in the grass. Don't know what the amount of money that Dr Ball had to spend to defend himself but I imagine it is well north of $1M.

ED REID

AUG 24, 2019 AT 7:35 PM | #

The court should notify Dr. Mann that any appeal filing not accompanied by the information Dr. Ball has requested will be summarily rejected. If the information is provided, Dr. Ball should be granted adequate time to determine that all of the requested information has been provided. If it has not, the appeal should be rejected without recourse.

ROGER PAYNE

AUG 25, 2019 AT 3:07 AM | #

Basic fact obvious to anybody: Mann's Hockey Stick graph was false. It is known there was a medieval warm period, He hid it. Fact.

SPURWING PLOVER

AUG 25, 2019 AT 3:36 AM | #

All those involved in this whole Climate Change/Global Warming scam and filing frivolous lawsuits need to have their lawsuits not only tossed out by make them all pay double the amount they had demanded be paid to the defendents that gose for all those cities filing these idiotic lawsuits and crowding up our courthouses just to line a few pockets of some lawfirm

SONNYHILL

AUG 25, 2019 AT 7:38 AM | #

Anyone who follows the global warming – climate change soap opera knows that the hockey stick graph was alarmist fraud. Mann was celebrated by some.
The "blade" of the stick lives on, though, as "imminent climate catastrophe" and "less than ten years to save the planet" . The climate models still rely on historical data manipulation for support.

PATER EUSEBIUS TENEBRARUM

AUG 25, 2019 AT 9:26 PM | #

Considering the enormous cost this pseudo-science fraud has imposed on taxpayers worldwide, one wonders if it isn't time for a counter-suit. The data need to be released in the public interest, in order to determine whether Mann is liable for damages.

Comments Are Closed

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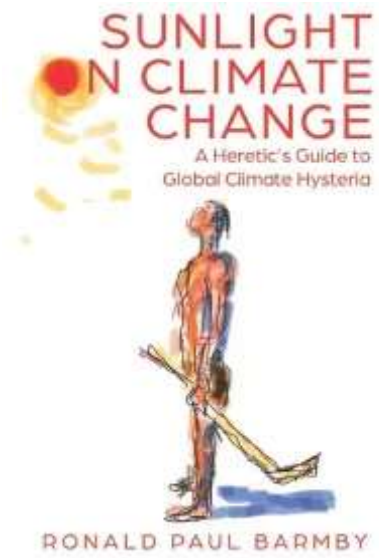

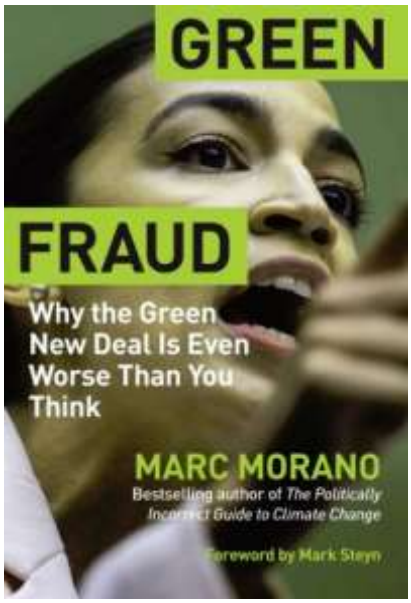

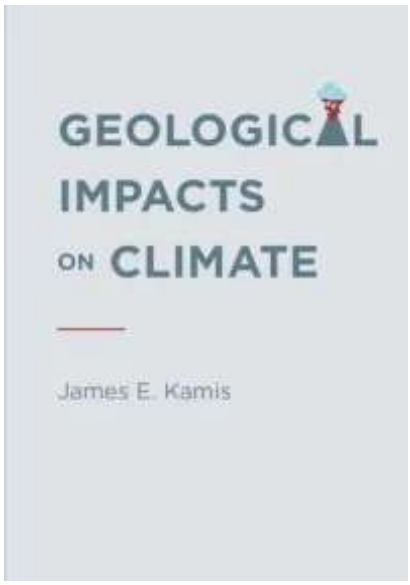

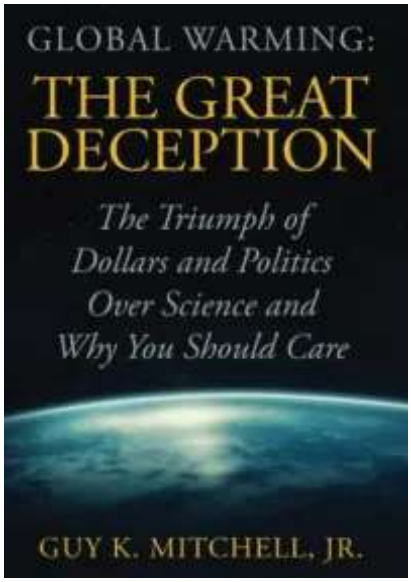
GLOBAL WARMING:
THE GREAT DECEPTION
The Triumph of Dollars and Politics Over Science and Why You Should Care
GUY K. MITCHELL, JR.

Welcome to Climate Change Dispatch