

Statement of Ross McKittrick

in regards to: NEW YORK CITY vs.
BP P.L.C.; CHEVRON CORPORATION; CONOCOPHILLIPS;
EXXON MOBIL CORPORATION; and ROYAL DUTCH SHELL
PLC

Legal complaint as posted at

http://blogs2.law.columbia.edu/climate-change-litigation/wp-content/uploads/sites/16/case-documents/2018/20180109_docket-118-cv-00182_complaint.pdf

January 15, 2018

Paragraph 86 of the above-referenced complaint contains numerous untrue statements about matters on which I have direct personal knowledge. The paragraph reads:

86. In the early 2000s, Exxon again attacked a respected scientist, Dr. Michael Mann. Dr. Mann had published a paper in peer-reviewed literature of what has come to be known as the “hockey stick” graph, which shows modern temperature sharply diverting from the temperatures of the last 1,000 years, and which was relied on by the IPCC in its 2001 report for its strengthened finding that humans were causing global warming, a report in which Exxon scientists participated. In response to the IPCC’s causal finding, Exxon sponsored its own bogus scientific research by paying \$120,000 over the course of two years (2003–2004) to the Fraser Institute, a Canadian organization that specializes in climate denialism. Senior Fraser Institute

⁶⁸ See Susan K. Avery et al., Special Insert: An Open Letter to Ben Santer (July 25, 1996), available at http://www.realclimate.org/docs/BAMS_Open_Letter.pdf.

Fellow Dr. Ross McKittrick and a co-author then published a supposed refutation of Dr. Mann's "hockey stick" graph.⁶⁹ Dr. McKittrick was an economist, not a scientist, and his co-author was a mining company executive. In 2003, the McIntyre and McKittrick paper was rushed into print, without peer review and, in a departure from the standard scientific practice, without offering Dr. Mann and his co-authors an opportunity to respond prior to publication. The McIntyre and McKittrick paper was subsequently debunked,⁷⁰ but the smear of Dr. Mann's work remains available on the web today and continues to be cited by climate deniers.⁷¹ Exxon's promotion by deception thus lives on.

⁶⁹ Stephen McIntyre & Ross McKittrick, *Corrections to the Mann et al. (1998) Proxy Database and Northern Hemispheric Average Temperature Series*, 14 ENERGY & ENVIRONMENT 751 (2003), available at

http://stephenschneider.stanford.edu/Publications/PDF_Papers/mcintyre_02.pdf.

⁷⁰ See, e.g., *False Claims by McIntyre and McKittrick Regarding the Mann et al. (1998) Reconstruction*, REALCLIMATE (Dec. 4, 2004),

<http://www.realclimate.org/index.php/archives/2004/12/false-claims-by-mcintyre-and-mckittrick-regarding-the-mann-et-al-1998reconstruction/>.

⁷¹ *Hockey Stick, 1998-2005, R.I.P.*, WORLD CLIMATE REPORT (Mar. 3, 2005),

<http://www.worldclimaterreport.com/index.php/2005/03/03/hockey-stick-1998-2005-rip/>;

Anthony Watts, *McIntyre and McKittrick to Receive Award*, WATTS UP WITH THAT? (June 14, 2010),

<https://wattsupwiththat.com/2010/06/14/mcintyre-and-mckittrick-to-receive-award/>.

1. The plaintiff (NYC) says that "in response to" the hockey stick publication, Exxon paid money to the Fraser Institute, and I and a coauthor "then published a supposed refutation" of it. The idea that this work was done at the instigation of, or under payment from, Exxon or any other corporation either directly or indirectly through the Fraser Institute or any other group is wholly false.
2. The Fraser Institute was not involved with the hockey stick project and to the best of my knowledge they knew nothing about it until after it was published.
3. While I was a Senior Fellow of the Fraser Institute in 2003-04 this was an unpaid affiliation. My paid employment was, and remains, the University of Guelph at which I was then a tenured Associate Professor.
4. The Fraser Institute doesn't "specialize in climate denialism", it is the largest economic policy think tank in Canada and it specializes in market-based approaches to public policy issues.
5. The hockey stick work originated with a series of postings by Stephen McIntyre on a Yahoo forum for climate sceptics in early 2003, in which he described problems he was encountering trying to replicate the MBH98 hockey stick. He worked on his own initiative and without funding from any source. I was not involved until the late summer of 2003 when Steve emailed to introduce himself, and asked to meet so we could go over what he had found up to that point. Soon thereafter I agreed to help him complete his research and write it up for publication.

6. All of this has long been public knowledge and could easily have been discovered by anyone seeking a factual history of the episode. It is accurately recounted in Chapters 3 and 4 of A.W. Montford's 2010 book *The Hockey Stick Illusion*. Other places where it has been recounted include:

- McKittrick, Ross R. (2005) "Science and Environmental Policymaking: Bias-Proofing the Assessment Process." *Canadian Journal of Agricultural Economics* (53) 275-290.
- McKittrick, Ross R. (2006) "The Mann et al. Northern Hemisphere "Hockey Stick" Climate Index: A Tale of Due Diligence." in Michaels, Patrick, ed. *Shattered Consensus: The True State of Global Warming*. Rowman and Littlefield, 2006.

7. Our 2003 *Energy and Environment* paper was peer reviewed. The plaintiff fails to point out that we also published a study in the peer-reviewed journal *Geophysical Research Letters*, the venue of the original MBH99 paper, and this paper was likewise peer reviewed.

8. Regarding the issue of offering Mann a prior chance to respond, we had corresponded with Mann regarding problems we encountered replicating his results but he cut off the correspondence. The emails are reproduced in the Montford book and some were in the Climategate archive.

9. Whether to invite authors whose work is being critiqued to publish a response alongside the critical article is a matter of editorial discretion and depends on the case. Neither *Energy and Environment* nor *Geophysical Research Letters* chose to solicit a response from Mann prior to our articles being published, instead they offered him the option to respond in print subsequent to publication, which Mann elected not to do.

10. The claim that our paper was "subsequently debunked" is an empty and worthless attempt to deceive the court as to the disposition of a debate that went on for several more years. It is notable that the assertion depends entirely on a citation to a blog post on Mann's own website and omits reference to any independent source. A more accurate summary of the ensuing events would be something like the following.

After publishing their 2003 E&E article and reviewing Mann's unpublished responses to it, McIntyre and McKittrick submitted an extended critique of the errors and misrepresentations in MBH98 to Nature magazine, which had published the first of the hockey stick papers. Nature solicited a response from Mann et al., and after examining it they ordered Mann et al. to publish a detailed correction and restatement of their methodology, which appeared in June 2006. M&M also extended their critique of Mann's statistical methodology and submitted it to GRL, which had published the 2nd hockey stick paper, and after peer review GRL published their study. Mann et al. never submitted a response. A panel led by Professor Wegman later conducted an independent review of the mathematical and statistical issues and upheld the M&M critique. A panel of the National Academy of Sciences also conducted an examination of the whole issue of paleoclimate reconstructions and upheld all the technical criticisms M&M made of Mann's work, going so far as to publish their own replication (North et al., 2006, pp. 90-91) of the spurious hockey stick effect M&M identified.

11. The M&M work remains "on the web" in large part because it is in print in peer reviewed journals. It is widely cited, including by the IPCC and the NAS, and in scientific studies such as: McShane, B.B. and A.J. Wyner, (2011). "A Statistical Analysis of Multiple Temperature Proxies: Are

reconstructions of surface temperatures over the last 1000 years reliable?" *Annals of Applied Statistics* Volume 5, Number 1 (2011), 5-44.

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