

ALFRED PAUL SECKEL, a resident of California,

Plaintiff,

v.

TOM McIVER, an individual, and DOES 1 through 100, inclusive.

Defendants.

CASE No.: CV03-6606 CAS (PLAX)

DECLARATION OF Bart D. Hibbs

I, Bart D. Hibbs, declare:

I have personal knowledge of the facts as set forth below:

I am not a party to this action. I can testify in a Court of Law under oath the following facts:

I am an engineer at AeroVironment in Simi Valley, CA.

I have known the plaintiff Al Seckel since approximately the mid 1980s. In approximately 1984, Al Seckel founded a skeptical group to counter various pseudoscientific beliefs in popular culture. This group was called the Southern California Skeptics (SCS). In approximately 1987, I was appointed by the Board to take over the role of SCS Treasurer from the previous treasurer John Edwards, and continued in this official role until the group suspended its activities sometime in 1990. Between 1987 and 1990 I was officially listed as the SCS treasurer on all SCS mastheads. I reported to the SCS Board on a regular basis about the finances of SCS. Al Seckel was present at these meetings, along with other SCS board members. I also regularly attended the meetings of SCS. I rarely see Al Seckel anymore.

During the time that I was SCS treasurer, I personally handled all the finances and accounting of the SCS. This task included keeping track and recording all income/expenses of SCS, as well as check writing privileges for various SCS expenses. I made copies of all checks, all bank deposit receipts (which included cash deposits from the basket to collect donations during the meetings). All of this I entered into an accounting program on my computer, and the results of the accounting were given to the SCS board at the Board meetings, and accurate and true annual accounts were published in the LASER, the official Newsletter of the group. I took this job very seriously, and did it myself. Al Seckel never tried to influence me in any way in doing the accounting, was not involved in the accounting, and I was never "under his control" as some people have falsely claimed. I am my own person and do my own work.

AS 00009

While I was treasurer of SCS, at no time was there any significant income into the group, and legitimate expenses seemed to always quickly consume any income that came in, despite the fact that the group was run on a very tight shoestring. Any income to SCS was quickly eaten up by expenses that related to mass promotional mailings, subscriber mailings, printings of the flyers and other promotional literature, printing of the LASER (the official journal of the group), subscriptions, book purchases, banquet and conference costs, costs of the Beckman Auditorium, and other legitimate SCS expenses. On several occasions, SCS was short funds to cover the expenses that had to be outlaid. At this point, Al Seckel would step in and put his own personal funds into the SCS account to cover the SCS account so that it would not be overdrawn. As SCS was always operating at a slight loss, Seckel would rarely, if ever, reimburse himself for the money that he outlaid to cover SCS. Other Board members also contributed some funds to keep SCS afloat. Seckel did not "loot the skeptics out of existence" as has been falsely claimed.

The rumors that have been related to me that Al Seckel had somehow been inappropriate, misused, or taken funds from the SCS accounts for his own personal benefit are completely contrary to my experience and knowledge. I cannot say this more emphatically, as the truth is just the opposite! I know of no foundation to these claims at all. The claim made by Pat Linse that Al Seckel received \$60,000 from SCS (during my tenure as treasurer 1987-1990) is absolutely false and without merit. I never saw those kinds of funds in the Skeptics at any time.

The accounting books of SCS have always been open to anyone that asked. These books had copies of all checks deposited, originals of all checks written, copies of all deposit receipts, all SCS bank statements, and a computerized accounting of all transactions. All of this was prepared solely by me. A true and correct copy of the SCS accounting books were provided to Elie Shneour, Phillip Klass, and CSICOP. I cannot recall anyone else that ever asked me to examine them. I kept them in my possession until approximately a few years ago, when lack of space and any interest in them, made me decide to throw them out. This is a decision I did entirely on my own, and I did not consult with anyone about it, as SCS had closed down its operation well over 10 years previously. This is what I informed Al Seckel when he contacted me recently for copies of the SCS accounting books.

Finally, there have been allegations that Seckel somehow "fabricated" the accounting books to make them appear as if he did not "loot the skeptics." I know of no reason to do this, as the legitimate accounting books showed just the opposite: that he helped keep the Skeptics financially afloat, rather than looting it. In addition he never accessed the computer on which I kept the records without my presence. The computer was almost always at AeroVironment so he could not have gained access to it without my knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this day of December 03, 2007, at Simi Valley, California.


Bart D. Hibbs

AS 00010

ALL-PURPOSE CALIFORNIA ACKNOWLEDGEMENT

State of California }
County of VENTURA } ss.

On 12/03/07 before me, MARK J. HOZINSKY
(DATE) (NOTARY)

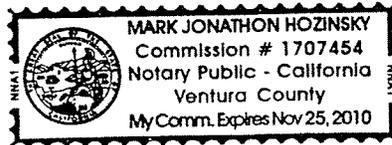
personally appeared BART DEAN HIBBS

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

[Handwritten Signature]



(seal)

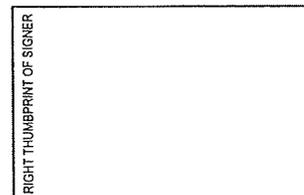
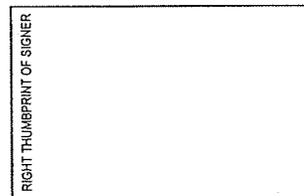
*****OPTIONAL INFORMATION*****

The following information is not required by law, however it may be helpful in preventing fraudulent use of this acknowledgement.

STATEMENT
DOCUMENT TITLE OR DESCRIPTION

DOCUMENT DATE: 12/03/07 NUMBER OF PAGES: 2

COMMENTS:



ALFRED PAUL SECKEL, a resident of California,

Plaintiff,

v.

TOM McIVER, an individual, and DOES 1 through 100, inclusive.

Defendants.

CASE No.: CV03-6606 CAS (PLAX)

DECLARATION OF Elie A. Shneour

I, Elie A. Shneour, declare:

I have personal knowledge of the facts as set forth below:

I am not a party to this action, and this is a statement for the record, and I am willing to testify in Court to the facts stated herein.

I hold or held a number of responsible positions as listed in such reference works as Marquis Who's Who in America, in the West, in the World, and in American Men and Women of Science.

I have known plaintiff Al Seckel since 1986. We remain friends to this day. I was a member of the Southern California Skeptics Board from about 1988-1990, until it suspended operations in 1990. I was appointed Chairman by the Board of the Southern California Skeptics (SCS) just prior to 1988. I had a very active involvement in the activities of this group while I was its Chairman. Al Seckel was the Executive Director and Bart Hibbs was the Treasurer. I also know Pat Linse, a volunteer who did illustrations for our newsletter LASER, and Tom McIver, a member (which was open to anyone) who would occasionally come to our meetings.

As active Chairman of the Southern California Skeptics between 1988 and 1989, and someone who was present at every Board meeting and almost every public lecture put on by the Southern California Skeptics, I was in the position to field any complaint. I was readily accessible to the membership. I state categorically for the record that at no time during the active functioning of SCS, did anyone ever bring up the issue to me or most likely to any of the Board members, of having lost our non-exempt tax status, and had someone done so, I would certainly have known about it. This matter was not brought to my attention by anyone until sometime in 1990 after the time SCS had ceased operating and soliciting funds. When it was brought to my attention, the issue was immediately looked into, and it was quickly determined that the IRS had a defunct address, with no proper forwarding address, and the notices therefore could not have been received..

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AS 00140

I state categorically for the record, and something that I have done on innumerable occasions over the years, that Al Seckel did in no way "embezzle" or otherwise misuse the funds of the Southern California Skeptics. The income of the Southern California Skeptics was small, and there were many expenses, which included, but were not limited to the following: bulk mailings, subscriptions, book purchases, flyers, newsletters, advertising, speaker fees, rentals of lecture halls. In fact, the last year of the normal operations of the Southern California Skeptics, moved its venue to the expensive Beckman Auditorium on the California Institute of Technology campus. This precluded our organization from staying in the black. The Southern California Skeptics, therefore, could not possibly accumulate any operative reserve. This alone should be sufficient to sustain the basic fact that not only did Seckel not embezzle non-existent funds, but he was donating money to the organization, just so that it could pay its bills. In fact, I personally also donated several hundred dollars of my own funds to help keep it alive. The idea that Seckel "embezzled" or misappropriated "tens of thousands," if not "hundreds of thousands" of dollars from the SCS is ludicrous and without any merit at any point in its entire history.

Sometime in 1990-1991 I became aware of unsubstantiated rumors floating around that somehow Seckel had "embezzled" funds. I therefore urgently contacted the SCS Treasurer Bart Hibbs, who was in charge of the accounting for the Skeptics. I remember carefully reviewing all the accounting documents, including copies of all checks ever deposited and transacted, all bank deposit slips (showing the cash deposits as well), copies of all checks written on the SCS bank account, and computerized accounting of all transactions. I could find absolutely nothing that could in any way be considered abnormal. The transactions were only the normal and necessary operating expenses. There was no "smoking gun," no discrepancies, and nothing unusual at all. If there were any such discrepancies as are claimed, they would have been immediately apparent to me. There simply were none. The Treasurer Bart Hibbs did a very careful job of keeping the books. I informed many people, including Pat Linse and Tom McIver of my findings, but they both refused to believe me. Both of them adamantly continued to assert what I consider to be slander and defamation of the character of my friend Al Seckel. They stubbornly rejected any and all evidence that would exonerate Al Seckel in any way.

CSICOP, the parent group of SCS, was also sent a copy of the accounting documents, and they too confirmed the conclusion that there were no financial wrong of any kind associated with the SCS.

I would also argue to no avail with both Pat Linse and Tom McIver about Al Seckel's leukemia, which they did not believe existed at all. In fact I personally visited Al Seckel in the hospital and was shown and could see clear evidence of his leukemic condition. This earned me their accusatory derision of having been "defrauded" by Al Seckel. I threatened legal action against both of them if they continued to spread false and defamatory information about either Al Seckel or myself.

2018 EAS

AS 00141

In 1993 I sent a letter to Michael Shermer, who was running the new Skeptic's group, as I was a member of the Editorial Board of the key publication of his organization, and who at that time was justifiably concerned about the rumor mongering, and at that time once again for the record, I stated to him that there had been no mishandling of the funds of the SCS.

Furthermore, there were also allegations against Al Seckel's relationship with Cornell Professor L. Pearce Williams, whom I had the privilege to meet several times during his California visits to give lectures to the SCS. We spoke about Al Seckel at length, and Professor Williams was extremely proud of his former student, praised him highly, and I never heard him utter any critical words against him. A letter, ostensibly written by Professor Williams, was circulated by Tom McIver in the early 1990s which did not connect in any way with anything that Professor Williams personally told me about his relationship with Al Seckel.

There were also allegations that Seckel defrauded investors (Ronald and Marilyn Crowley, Murray Gell-Mann, Paul MacCready, and Steve Allen) in a "scheme" involving an antique clock. Nothing could be further from the truth. I have talked to all of them, and those that are alive are still good friends with Al Seckel. Not a single one of them believes that they were defrauded by Al Seckel in any way, and that I view such rumors as false and without merit. I had recent conversations about the matter with my dear friend Paul MacCready whom I invited to visit me, just before he passed away this year, as well as with the Nobel laureate and legendary physicist Murray Gell-Mann, whom I had the pleasure to see again at Al Seckel's house in Malibu this past month.

I was aware that Tom McIver was spreading false and defamatory statements about Al Seckel in the late 1980s. Seckel sent him a legal letter to cease and desist otherwise there would be serious legal consequences. This seemed for a while to quiet McIver down. That did not last as McIver undertook an active and vicious campaign to spread what I can only describe as libel and slander in 1991 after he found out that Seckel was ill in the hospital with leukemia and was at the time unable to respond. I find these activities, which have now gone on for over twenty years, to be not only despicable, egregious, but also extremely harmful and damaging to Al Seckel, someone who has and is continuing to do many good things for the future of our planet.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge, belief and memory.

Executed this ^{1st} day of December 2007, at San Diego, State of California



Elie A. Shneour

Who's Who in America®

SHNEOUR, ELIE ALEXIS, biophysicist, researcher, historian: b. Neuilly-sur-Seine, France, Dec. 11, 1925; came to U.S., 1941, naturalized, 1944; s. Zalman and Salomea (Landau) S.; m. Polly H. Henderson, Sept. 7, 1990; children from previous marriage: Mark Zalman, Alan Brewster. BA, Columbia U., 1947; DSc (hon.), Bard Coll., 1969; MA, U. Calif., Berkeley, 1955; PhD, UCLA, 1958. Tchr. and rsch. fellow U. Calif., Berkeley, 1953-55, Am. Heart Assn. rsch. fellow, 1958-62, tchg. and rsch. fellow L.A., 1958; rsch. fellow Nat. Cancer Inst., 1956-57; Am. Heart Assn. rsch. fellow NYU, 1958-59; rsch. assoc. genetics Stanford U., 1962-65; assoc. prof. biology and neuroscis. U. Utah, 1965-69; rsch. neurochemist City of Hope Nat. Med. Ctr., Duarte, Calif., 1969-71. Dir. rsch. Calbiochem., 1971-75; pres. Biosystems Insts., Inc., 1975—; dir. Biosystems Rsch. Inst., 1979—; mem. steering com. Nat. Acad. Sci. Study Group on Biology and the Exploration of Mars, 1964; chmn. Western Regional coun. Rsch. in Basic Bioscis. for Manned Orbiting Missions, Am. Inst. Biol. Scis., NASA, 1966-69; fellow Com. Sci. Investigation Claims of Paranormal, 1996—. Author: Extraterrestrial Life, 1965, (with Eric A. Ottesen) National Academy of Sciences, National Rsch. Coun., 1966, (with S. Moffat) Life Beyond the Earth, 1966, The Malnourished Mind, 1974; contbr. numerous articles to sci. and lay jours. Chmn. citizens adv. coun. San Diego Pub. Schs., 1971-72; mem. adv. coun. Cousteau Soc., 1977-98; bd. dirs. Lunar Power System Coalition, 1993-2002, Transinnova S.A. France, 1990—; chmn. sci.

adv. bd. County of San Diego, 1995-2002. With U.S. Army, 1944-45, Recipient William Lockwood prize, 1947. Mem. IEEE, AAAS (chmn. So. Calif. Skeptics soc. Pacific divsn. 1988-90), Am. Chem. Soc., N.Y. Acad. Scis., Am. Inst. Biol. Scis., Am. Soc. for Biochemistry and Molecular Biology (chmn. sci. advisors program 1973-75, mem. com. on pub. policy 1974-76, congl. liaison 1992—), Am. Soc. Neurochemistry (mem. coun. 1971-73), Soc. Neurosci., Internat. Soc. Neurochemistry, U.S. C. of C. (bd. dirs. 1993-98), La Jolla Chamber Music Soc. (bd. dirs. 1994-97), Internat. Coun. for Global Health Progress (N. Am. adv. bd. 1996—), Sigma Xi, Phi Sigma. Office: Biosystems Rsch Inst 700 Front St MS CDM 608 San Diego CA 92101-6085

American Men & Women of Science™

SHNEOUR, ELIE ALEXIS. **Personal Data:** b Paris, France, December 11, 1925; m 1990, Polly Marvick Henderson; c Mark Z & Alan B. **Education:** Columbia Univ, BA, 1947; Univ Calif, Berkeley, MA, 1955, Univ Calif, Los Angeles, PhD(biol chem), 1958. **Honorary Degrees:** DSc, Bard Col, 1968. **Professional Experience:** Mem bd dir, San Diego Biomed Inst, 1981-1986; chmn, Sci Adv Bd, Quadroma, Inc, 1981-1984; mem sci adv coun, Cousteau Soc, Inc, 1977-; PRES & CHIEF EXEC OFFICER, BIOSYST INSTS INC & DIR, BIOSYSTS RES INST, 1974-; Gen Elec Co, 1965- & NAm Aviation, Inc, 1966-1970 & other maj US & Foreign Corps, 1974-; mem sci & pub policy comt, Am Soc Biol Chemists, 1974-1976; chmn sci adv prog, Am Soc Biol Chemists, 1973-1978; dir res, Calbiochem, 1971-1974; vis res neurochemist, Div Neurosci, City of Hope Nat Med Ctr, Duarte, Calif, 1969-1971; chmn regional biosci res coun manned earth orbiting missions, Am Inst Biol Sci, 1966-1969; assoc prof molecular & genetic biol, Univ Utah, 1965-1969; exec secy biol & explor Mars study group, Nat Acad Sci, 1964-1965; Consult, Melpar Inc, 1964-1965; res assoc genetics, Stanford Univ, 1962-1965; Am Heart Asn res fel, Univ Calif, Berkeley, 1958-1962; asst, Univ Calif, Los Angeles, 1955-1958; asst biochem, Univ Calif, Berkeley, 1953-1955; sr res technician, Univ Calif, Berkeley, 1950-1953; Asst dir res & develop, J A E Color Works, NY, 1948-1950; mem, Sci Adv Bd, Advan Polymer Sysys Inc. **Memberships:** Am Chem Soc; Int Soc Neurochem; NY Acad Sci; Am Soc Biochem & Molecular Biol; Am Soc Neurosci; Int Soc Neurochem. **Research Statement:** Information processing by biological systems-Temporal Thereof. **Mailing Address:** Biosysts Res Inst, 700 Front St CDM-608, San Diego, CA 92101-6009.

California All-Purpose Acknowledgment

State of California

County of San Diego } ss.

On 1 December, 2007 before me, F. A. Henkels Notary Public
Name and Title of Notary Public
personally appeared - Elie A. Shneour -

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

F. A. Henkels

Signature of Notary Public



This area for official notarial use

(Optional) My commission expires on: May 14, 2009

(Optional) Phone No.: 619-702-7522

ALFRED PAUL SECKEL, a resident of California,

Plaintiff,

v.

TOM McIVER, an individual, and DOES 1 through 100, inclusive.

Defendants.

CASE No.: CV03-6606 CAS (PLAX)

DECLARATION OF William B. Provine, Ph.D.

I, William B. Provine, declare:

I have personal knowledge of the facts as set forth below:

I am not a party to this action.

I am the Andrew H. and James S. Tisch Distinguished University Professor in the Department of Ecology and Evolutionary Biology at Cornell University.

I am attaching as Exhibit A, a true and correct copy of my curriculum vita.

I have known the plaintiff Al Seckel since the Fall of 1976, when he was enrolled in my class in the history of science at Cornell University. This was the beginning of a very long positive association and friendship with him, which continues to this day. Between 1976 and 1980, Mr. Seckel was enrolled in several of my classes in the history of science, including an upper level seminar in the history of science. Mr. Seckel was active in all my classes and always did well on the exams. In the Fall of 1976, I also introduced Mr. Seckel to professor L. Pearce Williams, another professor in the History of Science at Cornell. Pearce and Al took to each other immediately, and they formed a close student/teacher relationship throughout the four years that Mr. Seckel attended Cornell. I was a witness to this relationship, as I was also interacting with Seckel during his entire four year attendance at Cornell University. I was well aware that he was taking other courses at Cornell, especially hard science classes in the physics and astronomy department.

For the record, Mr. Seckel commands an excellent knowledge of the history of science. I know this through my own discussions/interactions with him on this topic that have now spanned over thirty years.

I have had numerous discussions with professor Pearce Williams on the subject of Al Seckel over the last thirty years, and I have never heard professor Williams state a bad

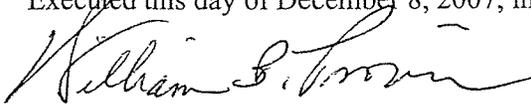
thing about Mr. Seckel, but only positive things. He has always been proud of his former student. In recent years, I attended the Cornell Presidential dinner (September 2004) in Al Seckel's honor hosted by Jeffrey Lehman, then President of Cornell University, which was also attended by Pearce Williams and his wife Sylvia, among other distinguished Cornell faculty members, and other people who were familiar with Seckel while he was a student there. I also attended Seckel's packed lecture at Cornell University after the dinner, which was introduced by President Lehman. President Lehman spoke of Seckel in glowing terms, based on their long relationship together.

I recently visited Al Seckel, Pearce and Sylvia Williams in September 2007 at the home of Pearce Williams, where Al Seckel was a guest staying there. There was nothing but good cheer all around by both professor Williams and his wife Sylvia who are very close to Seckel. I recorded part of this reunion on videotape. I know that whenever Seckel visits Cornell, he stays as a guest with professor Williams.

In recent years I have been very involved with Al Seckel, and Cornell University librarian David Corson (who has also known Seckel positively for over 30 years) to place my enormous collection in the history of population genetics and evolutionary biology into the Cornell University library system, where it will be preserved for scholars. Mr. Seckel managed to achieve a great goal of mine and that of Cornell University without requesting compensation of any kind. He did this solely to help repay the debt that he felt he owed Cornell University for his own education. I know that Cornell University and I are incredibly pleased with the vast effort that Al Seckel put into making this a reality.

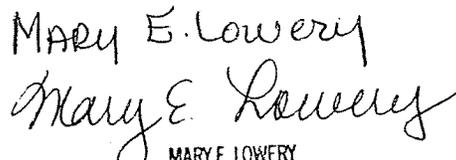
I declare under penalty of perjury under the laws of New York that the foregoing is true and correct.

Executed this day of December 8, 2007, in Ithaca, New York.



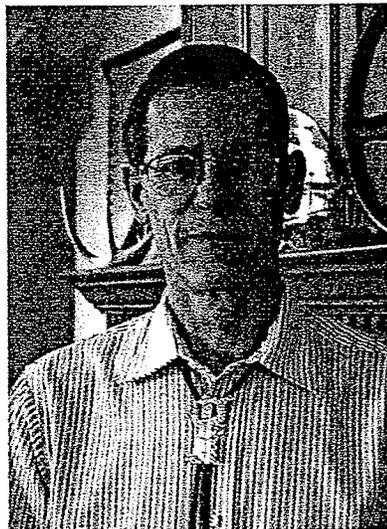
William B. Provine

ON December 6, 2007 before me appeared William B. Provine, and signed in my presence with proper identification.



MARY E. LOWERY
Notary Public, State of New York
Qualified in Tompkins County
My Commission Expires 07/27/2010

2005 CURRICULUM VITAE



NAME: William B. Provine
COLLEGE: Arts and Sciences
DEPARTMENT/UNIT: Ecology and Evolutionary Biology
History
TITLE: Charles A. Alexander Professor of Biological Sciences
CAMPUS ADDRESS: E139 Corson Hall
PHONE: 607-254-4264
E-MAIL: wbp2@cornell.edu

BACKGROUND

EDUCATION

<u>Year</u>	<u>Degree</u>	<u>Institution</u>
1970	Ph.D.	History of Science, University of Chicago, Chicago, Illinois
1965	M.A.	History of Science, University of Chicago, Chicago, Illinois
1962	B.S.	Mathematics, University of Chicago, Chicago, Illinois

ACADEMIC RANKS (year achieved)

Professor: 1982 (Cornell University)
Associate Professor: 1974 (Cornell University)

2004 CURRICULUM VITAE - William B. Provine

Assistant Professor: 1969 (Cornell University)

Assistant Professor: 1968 (Monteith College, Wayne State University, Detroit)

PRIMARY DEPARTMENTAL/UNIT PROGRAM AREA

Evolutionary Genetics, Systematics, and Macroevolution

AREAS OF EXPERTISE

History of evolution and genetics

PROFESSIONAL EXPERIENCE

<u>Year</u>	<u>Experience</u>
1992-present	Charles A. Alexander Professor of Biological Sciences, Department of Ecology and Evolutionary Biology, Cornell University
1986-present	Professor, History of Biology, Department of Ecology and Evolutionary Biology, Cornell University
1982-1986	Professor of History and Division of Biological Sciences, Section of Ecology and Systematics, Cornell University
1974-1982	Associate Professor of History and Division of Biological Sciences, Cornell University
1969-1974	Assistant Professor of History, Cornell University
1968-1969	Assistant Professor of Natural Science, Monteith College, Wayne State University, Detroit
1962-1964	Science Teacher (6th, 7th, and 8th grades), North Shore Country Day School, Winnetka, Illinois

SABBATICALS AND STUDY LEAVES

Sabbaticals:

2004 (Fall)

1998 (Fall)

1991-1992

1984 (Fall)

HONORS AND AWARDS

Recipient, The Darwin Award, The Society for the Study of Evolution, 1996

2004 CURRICULUM VITAE - William B. Provine

Recipient, John M. and Emily B. Clark Award for Distinguished Teachers of Undergraduates in the College of Arts and Sciences at Cornell, 1989

Courses Taught (course number and name)

BIOEE 207, History 287, S&TS 287: Evolution
BIOEE 467, History 415, S&TS 447: Seminar in the History of Biology
BIOEE 760, Graduate seminar in the History of Evolution and Ecology

GRADUATE FIELD MEMBERSHIPS

Ecology and Evolutionary Biology
History
Science and Technology Studies
Zoology

GRADUATE MAJORS

Current

Miranda V. Paton, Ph.D., 2005

Total Completed (names and dates)

Gregory W. Graffin, M.S. Special, 2002; Ph.D., 2003; Marc Speyer-Ofenberg, M.A., 2002; Lawrence G. Carbone, Ph.D., 2000; Tomoko Y. Steen, Ph.D., 1996; Lawrence G. Carbone, M.A. Special, 1995; Mary M. Bartley, Ph.D., 1994; Tomoko Y. Steen, M.A. Special, 1994; David Takacs, Ph.D., 1994; Sara F. Tjossem, Ph.D., 1994; Nadine M. Weidman, Ph.D., 1994; David A. Livesay, Ph.D., 1991; Sergio F. Sismondo, Ph.D., 1991; David Takacs, M.A. Special, 1991; Chandak Sengoopta, M.A. Special, 1990; V. Betty Smocovitis, Ph.D., 1988; Brian A. Parr, Ph.D., 1986; William C. Kimler, Ph.D., 1983; Mary Ellen Bogin, M.A. Special, 1982; Robert P. De Marrais, M.A. Special, 1973

GRADUATE MINORS

Current

Derek Cabrera, Ph.D. Education, expected 2005. Lisa Onaga, Ph.D. S&TS, expected 2007.

Total Completed

Theresa Fulton, Ph.D., 2002.

REPRESENTATIVE PROFESSIONAL ACTIVITIES

PROFESSIONAL SOCIETIES

2004 CURRICULUM VITAE - William B. Provine

American Association for the Advancement of Science
American Genetics Association
American Society of Naturalists
American Society of Zoologists
Genetics Society of America
History of Science Society
Paleontological Society
Society for the Study of Evolution

PROFESSIONAL HONORARIES

Wilhelmine Key Lecturer, International Congress of Ecology and Evolutionary Biology, College Park, Maryland, 1990
Fellow, American Association for the Advancement of Science, 1986
Guggenheim Fellowship, 1984-1985
Arnold Ravin Memorial Lecturer, University of Chicago, 1984
Cocos Fellow, Duke University Marine Laboratory, 1984
Phi Beta Kappa Visiting Lecturer (lectures under the auspices of Phi Beta Kappa at eight different colleges and universities), 1979-1980

EDITORIAL BOARDS

Editorial Board, *TREE*, current
Editorial Board, *Journal of Genetics*, current

REPRESENTATIVE PROFESSIONAL CONTRIBUTIONS

RECENT INVITED PRESENTATIONS

Invited Speaker, UCLA, May, 2005
Invited Speaker, VPI, April, 2005.
Invited Speaker, University of Virginia, September, 2004
Invited Speaker, Meeting on the Neutral Theories of Molecular Evolution, Boston, Massachusetts, May 2004
Invited University Speaker, SUNY Binghamton, October, 2003
Invited Class Lecturer, Ecology and Evolutionary Biology/History Departments, Princeton University, Princeton, New Jersey, April 2003
Invited Speaker, University of California, Riverside, California, March 2001
Invited Seminar Speaker, University of California, Department of Ecology and Evolutionary Biology, Riverside, California, March 2001
Invited Speaker, Washington University, St. Louis, Missouri, March 2001
Invited Seminar Speaker, Washington University, Department of History and Philosophy of Science, St. Louis, Missouri, March 2001

RESEARCH AND EXTENSION GRANT REVIEW PANELS

2004 CURRICULUM VITAE - William B. Provine

Research group on the origins of the neutral theories of molecular evolution, Dibner Library,
Woods Hole, MA, June 2003

CONSULTING

Consultant, Ethics Advisory Board, SmithKline Beecham, Philadelphia, Pennsylvania, 1997-
2000

Consultant, Biology and Ethics Committee, SmithKline Beecham, Harrow, England, 1997

RESEARCH, INSTRUCTIONAL, AND/OR EXTENSION/OUTREACH PUBLICATIONS

2005. Provine, W. B. Ernst Mayr, a retrospective. *TREE*. In press.
2004. Provine, W. B. Ernst Mayr: Genetics and Speciation. *Genetics* 167, 1041-1046.
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2004 CURRICULUM VITAE - William B. Provine

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OTHER PUBLICATIONS RESULTING FROM WORK DONE UNDER THE DIRECTION OF WILLIAM B. PROVINE:

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PROFESSIONAL OVERVIEW AND OBJECTIVES

(One paragraph, not to exceed one-half page, single-spaced)

1. A book on modern evolutionary biology, free will and moral responsibility. The argument is that modern evolutionary biology suggests 5 consequences: no gods worth having, no life after death, no ultimate foundation for ethics, no ultimate meaning in life, and no free will. I argue that these implications are actually easy to swallow. No free will logically means that we must reconsider crime and punishment, leading I think to a much kinder society. I also consider ways for evolutionists to cooperate with creationists and fundamentalists in general. Contract with W. W. Norton, projected finish, August 2005.

2. In many lectures at a wide variety of institutions (including Harvard, University of Chicago, Emory, University of Georgia, Washington University, and Cornell) I have argued that random genetic drift over short numbers of generations is biologically impossible and hopeless to demonstrate in natural populations. Nor do I think that random drift is important for deep evolutionary time—if true, chromosomes would cease to exist. Now I feel sufficiently confident to write a book on this subject, and great prelude to the next project.

3. A projected book on the history of the theories of neutral molecular evolution. I have at Cornell a fabulous collection of research materials, including the entire correspondence of Motoo Kimura, and detailed recorded interviews with most of the participants of the early years after 1968, excepting Jack Lester King, who died prior to the project. I have traveled to Japan 11 times for research.

2004 CURRICULUM VITAE - William B. Provine

This project is very difficult mathematically and culturally. I have written 2 chapters on Kimura and will continue work as possible. The University of Chicago has expressed strong interest in publishing the book. I want for the book to be more readable to a wider audience than my book on Sewall Wright and Evolutionary Biology.

4. For two decades I have worked on a book about the history of views about race among evolutionists and geneticists. Other projects, with immediate need for interviewing living elderly scientists, have taken priority. I would like to finish this project. Six chapters are written with four to go.

5. A further project would be to write a history of the concepts of species and speciation from Ernst Mayr's *Animal Species and Evolution* (1963) to the present. I anticipate a development that is almost as confusing to evolutionists as to laypersons with an interest in biology.

ALFRED PAUL SECKEL, a resident of California,

Plaintiff,

v.

TOM McIVER, an individual, and DOES 1 through 100,
inclusive,

Defendants.

CASE NO.: CV03-6606 CAS (PLAX)

DECLARATION OF L. PEARCE WILLIAMS, Ph.D

I, L. Pearce Williams, declare:

I have personal knowledge of the facts as set forth
below.

I am not a party to this action.

I have a serious and on-going ~~serious~~ medical
condition, which prevents me from any long distance
traveling, and this medical condition will not allow me
to testify in California on behalf of plaintiff Al
Seckel.

I am Professor Emeritus in the History of Science at
Cornell University, in Ithaca, New York. I was the John
Stambaugh Professor of the History of Science;
Director, Program in the History and Philosophy of
Science and Technology, Cornell University. I am fully
retired from teaching and doing research.

I first met Mr. Seckel in the fall of 1976, when
another Cornell professor introduced us. Mr. Seckel and
I shared a mutual love of books as well as a passion
for the history of science and ideas. Between 1976 and
1980, Seckel and I developed a very close
professor/student relationship, spending a good deal of
time together. It was during this period that we
developed a close personal friendship. During those
four years, Seckel was enrolled in several of my
courses at Cornell, including my History of Western
Civilization Class, and some of my upper level history
of science seminars. He was an unusually gifted



AS 01984

student and did all the required course work with passion and enthusiasm.

Attached as exhibit A, is a true and correct copy of an inscription that I handwrote to Seckel, which summed up my opinion of him, "To Al Seckel, my most unusual, and possibly best, student. Pearce."

I was also friendly to his wife Laura Seckel, who was a student at Cornell during the same time that Seckel was a student. I came to know both of them very well.

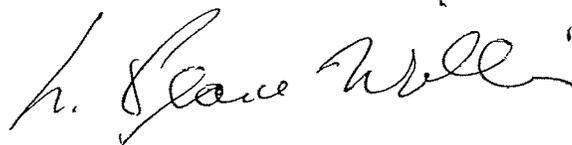
My friendly relations with Al Seckel continue to this day, and I was extremely honored when in 2004 he returned to Cornell University to give the Presidential lecture on his work in visual perception. I attended that lecture, which was glowingly introduced by then Cornell President Jeffrey Lehman. Seckel's dedication to me at the end of his lecture brought tears to my eyes.

I do not know the Defendant Tom McIver. I do not know Pat Linse. I do not recall any time that I have spoken or written to either of them about Mr. Seckel.

I have seen a document (attached as exhibit C) where Defendant Tom McIver and Pat Linse have been using my name and reputation to spread defamatory information about my personal, scholarly, and business relationship to Al Seckel.

For the record: It is absolutely not true that Al Seckel has ever defrauded either me or any member of my family. Nor is it true that I have ever called him a "thief." Any such representations are false.

Furthermore, in my opinion, Mr. Seckel possesses an excellent knowledge of the history of science, which I know from not only being one of his professors in this area, but through numerous discussions on the topic. Any representations that I have said anything to the contrary are false. These and any other such false representations said to be in my name are not only harmful to Mr. Seckel's fine reputation, but to mine as well. I have never, nor would I ever state such things privately or in public about Mr. Seckel.

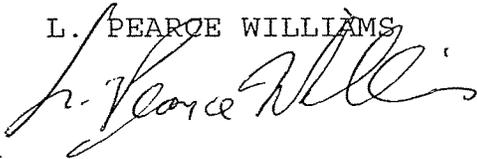


I am proud that Al Seckel was my student, and I am proud of what he has accomplished in his scholarly works, research, and lectures.

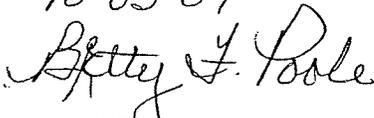
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this day of October 5, 2007, at , New York.

L. PEARCE WILLIAMS



10-05-07



BETTY F. POOLE
Notary Public, State of New York
No. 01PO4646427
Qualified in Tompkins County
Commission Expires 6/30/11

EXHIBIT A

L. PEARCE WILLIAMS is John Starbaugh Professor of the History of Science at Cornell University. He has also taught at Yale University and at the University of Delaware. He is the author of THE ORIGINS OF FIELD THEORY and MICHAEL FARADAY, and co-editor of GREAT ISSUES IN WESTERN CIVILIZATION.

To Al Seikel,
my most unusual, and
possibly best, student.

Pearce

ALFRED PAUL SECKEL, a resident of California,

Plaintiff,

v.

TOM McIVER, an individual, and DOES 1 through 100,
inclusive,

Defendants.

CASE NO.: CV03-6606 CAS (PLAX)

DECLARATION OF SYLVIA WILLIAMS

I, Sylvia Williams, declare:

I have personal knowledge of the facts as set forth
below.

I am not a party to this action.

I am the spouse of L. Pearce Williams and have been
married to him for over fifty eight years. My husband
suffers from a serious medical condition, which
prevents him from traveling any long distances.

I have known Mr. Seckel very well since the late 1970s,
when Al Seckel was a very close student and friend of
my husband Cornell professor L. Pearce Williams.

My husband has always spoken extremely highly of Al
Seckel as both a person and in terms of Al Seckel's
scholarship in the history of science and in other
matters. I have witnessed his high opinion of Al Seckel
voiced to me as well as to others on innumerable
occasions. It is absolutely not true that Al Seckel has
ever tried to defraud either me or any member of my
family. For anyone to represent that my husband would
say such a thing is bearing false witness.

I do not know defendant Tom McIver. I do not know Pat
Linse. I do not recall any time that I have spoken with
either Tom McIver or Pat Linse about Mr. Seckel. I do
not recall ever hearing my husband discussing Al Seckel
with either of these individuals.

Sylvia J. Williams

AS 01981

In fact, both my husband and I have both maintained extremely cordial relations with Mr. Seckel through to the present day, and when he comes to Ithaca, he is always welcome as a guest who stays with us at our home.

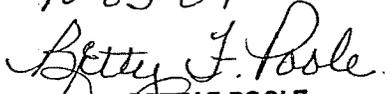
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this day of October 5, 2007, at , New York.



SYLVIA WILLIAMS

10-05-07



BETTY F. POOLE
Notary Public, State of New York
No. 01PO4646427
Qualified in Tompkins County
Commission Expires 10/30/11

EXHIBIT C



Cornell University

Department of Science & Technology Studies

Graduate Program

• History and Philosophy of Science and Technology
• Social Studies of Science and Technology

126 University Avenue
Ithaca, New York 14850-3275

Telephone: 607/255-6234
FAX: 607/255-6646

August 11, 1993

Mr. Thomas McKeer
15418 Lydian Avenue
Cleveland, Ohio 44111

Dear Mr. McKeer:

Thank you for your letter of August 2 which, I must confess did not surprise me. For years, I have warned Al Seckel that he was misrepresenting himself but he paid no heed to me.

Let me set the record straight, unequivocally, on Al's "career" at Cornell. He came to me after having dropped out of Engineering before the end of his first term with the explanation that he simply could not take examinations. My colleague, Prof. Will Provine, had told him that I had a wonderful collection of rare books in the library of Science. He immediately latched on to me like a puppy dog. It is an absolute lie that I ever said, publicly or privately, that Al was my best student. In fact, he was never technically a student of mine at all. He never took an examination from me, he never wrote a paper for me nor did he even show me through oral communication that he was anything but a dilettante who could fake knowledge of the history of science fairly well.

He certainly never graduated from Cornell University; never to my knowledge received an undergraduate degree and never, again to my knowledge was either a bona fide graduate student or received an advanced degree in anything.

I was also not surprised to hear of financial irregularities. As you probably know, he worked for a while with a rare book dealer in Los Angeles whose name I now forget but who, I think, may now be dead. I know Al had difficulties with him, and I suspect that these were not all the other person's fault. For a while Al served to buy rare books for me and I also used him to sell some from my library. It was like pulling teeth to get money out of him. One of the reasons I broke off contact with Al was that I began to suspect that he was defrauding me. I know for a fact that he has withheld money that he owes one of my children for some seven years now. Not being a lawyer, and being rather simple-minded, I would call this theft.

You may use this letter in any way you wish and have my permission to show it to anyone. I hope it has been of service to you.

Sincerely yours,

E. Foster Williams
John Stambaugh Professor of History of Science

1 63171.1

ALFRED PAUL SECKEL, a resident of California,

Plaintiff,

v.

TOM McIVER, an individual, and DOES 1 through 100, inclusive.

Defendants.

CASE No.: CV03-6606 CAS (PLAX)

DECLARATION OF Daniel Meier

I, Daniel Meier, declare:

I have personal knowledge of the facts as set forth below:

I am not a party to this action, and this a statement for the record, and I am willing to testify in Court to the facts stated herein.

I am professor of English, Pasadena City College. I have been teaching at Pasadena City College since 1983.

I have known plaintiff Al Seckel since 1987. We first met when I asked him to lecture to my class at Pasadena City College, which he gladly did on several occasions without ever asking for remuneration of any kind. We quickly became close friends and continue our friendship to this day. In 1987 I became a member of the Southern California Skeptics as well as an active volunteer. At this time, I also met Pat Linse and Susy Shaw, both of whom were volunteers for the Southern California Skeptics. Pat Linse was a illustrator for the newsletters of the group. To my knowledge, she had no direct knowledge of the finances of the Southern Skeptics.

Attached are documents, in which certain statements are said to be attributed to me by Pat Linse. The statements that Linse attributes to me are entirely false, have never been uttered (in either oral or written form) by me, and are said with the express and sole intent to falsely damage and defame plaintiff Al Seckel.

In an e-mail (Bates number MC 00475) dated 31 May 2007 from Pat Linse to Tom McIver, Linse states:

“Dan told me that Seckel tried [sic] get him to walk a phoney [sic] transcript into Pasadena City College so S[eckel] could get a job.”

This claim is repeated in another e-mail (Bates # MC 00484) date 2 July 2007 from Pat Linse to Tom McIver:

“Also, Dan Meier supposedly was asked to deliver a fake transcript to Pasdena [sic] City College so Seckel could get a job there.”

This is entirely false. I have never said such a thing, even as a joke. Seckel has never asked me to get him a job at Pasadena City College or anywhere else for that matter. Furthermore, Seckel has never shown me or referred to any transcript, fake or otherwise.

In the e-mail (Bates number MC 00475) dated 31 May 2007 from Pat Linse to Tom McIver, Linse states:

"He [Dan Meier] also know [Seckel] is a crook."

This is entirely false. I have no knowledge that Seckel has been inappropriate in his financial dealings with anyone, and I have never been involved with Seckel in any business dealings. I have never said such a thing, nor have I speculated such a thing.

In the e-mail (Bates number MC 00475) dated 31 May 2007 from Pat Linse to Tom McIver, Linse states:

"He [Dan Meier] and suzi invested with S[eckel] – it had something to do with a house, but Dan claims he used to run with gangs as a kid and he had a couple friends [sic] threaten [S] and got his money back. At least that's the story Dan told me. I actually met the gang "god father" who supposedly threatened Al. That's when Dan told me the story."

This account is repeated in another earlier e-mail (Bates # MC00452) from Pat Linse to Tom McIver dated 10 June 1006:

"He [Dan Meier] is the only guy I know of who got his investment money back from Al since Dan used to run with Los Angeles gangs as a kid and he had some of his buddies stop by Al's place. Dan could write a book about they guy."

Both statements are entirely false. In fact, the accounts are delusional, and ^{are} libelous to me, as it impugns a criminal behavior on my part, which I never did or suggested doing. Nothing like this happened at all. I have never invested a single penny with Al Seckel ever (have none to invest), and therefore, I have never needed to get money back. Nor have I ever threatened him in any way with "gang" members or anyone else.

In an e-mail (Bates # MC00475) from Pat Linse to Tom McIver, dated 31 July 2007, Linse states:

"I think it was Dan that [Seckel] called when he got kicked out of a house in Pasadena – the story that Dan told, if my recall is correct, was that he helped move S[eckel] into a mansion even though Al was kicked out of his old house by the sherrif! [sic]. So he hung out with him even though he knew what he was up to for the thrill of it."

This is another account by Pat Linse that is not only false, but delusional. I know of no instance of Al Seckel being evicted or "kicked out" from his house by the Sheriff or any other law enforcement agency. Nor would I say anything about this either in fact or jest to Pat Linse or anyone else.

I can testify to the fact that through conversations that I have had in the early 1990s, and even in the late 1980s, that Pat Linse in conjunction with Tom McIver were embarked on a serious and extremely vicious campaign to malign and damage Al Seckel's reputation by stating things that Seckel did not state, like that he was professing that he had a Ph.D., when it was common knowledge in the late 80s when he ran the Southern California Skeptics that he did not possess a Ph.D., and in over twenty years, I have never heard him make such a claim, but have actually heard him correct such notions to

numerous people, who would assume falsely that he did.

Furthermore, both Pat Linse and Tom McIver ramped up their efforts to malign and defame Al Seckel when they knew he was critically ill with leukemia, and in no condition to contest rumors. Contrary to what Linse states in her e-mails to Tom McIver, I had numerous arguments with Pat Linse as well as Tom McIver trying to convince both of them that Seckel's leukemia was in fact very real, and that he was not "faking it," that he didn't defraud investors or me, embezzle money from the Southern California Skeptics (there was never any real money there), and so on. Neither of them wanted to hear anything that would contradict their false claims. They simply would not listen.

In the last two years, Tom McIver tried to contact me again to voice his old false complaints about Al Seckel.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed this day of 29 November 2007, in Pasadena, California.

Daniel Meier



ACKNOWLEDGMENT

State of California

County of Los Angeles

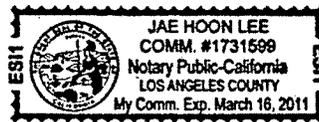
On Nov 29, 2007 before me, Jae Hoon Lee, Notary Public
(here insert name and title of the officer)

personally appeared Daniel Meier

~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~(his)~~ ~~her~~ ~~their~~ authorized capacity(ies) and that by ~~(his)~~ ~~her~~ ~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Handwritten Signature]



(Seal)