

To: Mr. Stuart Ashman
New Mexico Department of Cultural Affairs
407 Galisteo St.
Santa Fe, NM 87501

Dear Mr. Ashman,

I would first like to apologize for any misunderstanding regarding the receipt of your last letter. I had notified most of my correspondents to send letters to my home address, as I rarely check my department mailbox, and the department had also started placing my mail in a different box without my knowledge. Consequently, I did not find your letter until yesterday, a week after I had asked Mr. Jimenez to remind you to contact us. I have already dispatched an e-mail to Mr. Jimenez explaining and apologizing for the misunderstanding.

Moving on to the content of your last letter, I am afraid it did as little to alleviate our concerns as your first letter. Our letter to you contained a detailed explanation of our concerns and allegations. We explained our case in detail and laid out the evidence that academic theft had occurred. We also explained why we felt this matter was of great concern not only to us, but to the vertebrate paleontological community.

However, none of these points were addressed in either of your letters, which simply stated that you had discussed the matter, first with Dr. Lucas and Dr. Hunt, and later with the Executive Committee, and decided that no action was necessary. This is not a sufficiently in depth response given the length at which we explained our case. In order for us to consider the matter settled, we need to be convinced that we are mistaken about academic theft having occurred, that the matter is not as serious a breach of academic ethics as we believe, or that steps have been taken to ensure that such a breach does not occur again. If you cannot convince of these points, then we will remain unsatisfied with the situation and continue to pursue the matter.

Given the strength of the evidence and the widespread support we have received in the vertebrate paleontological community over our actions in this matter, we find it unlikely that you will convince us either of the first two points. Still, we wish to remain open-minded, and if you can explain clearly and convincingly how our allegations and concerns are in error, we are willing to listen. We need specific responses to the following:

- 1) Did you find the reasoning behind our allegations that academic theft and plagiarism had occurred to be in error? If so, please explain in detail, answering the specific points and evidence that you found to be questionable.
- 2) Did you find our concerns about the seriousness and unethical nature of academic theft and plagiarism to be unwarranted? If so, please explain.
- 3) We were informed in your first letter that the publishing practices of Dr. Lucas and Dr. Hunt followed NMMNHS "publishing practices and policies". We need a copy of the practices and policies in order to evaluate for ourselves whether this is accurate. Moreover, simply stating that such actions follow official practices and

policies does not make such practices and policies ethical or acceptable, in which case there may still be a problem. Please provide us with copies of the NMMNHS publishing practices and policies.

- 4) We gathered from your first letter that Dr. Lucas and Dr. Hunt had responded directly to our allegations. What was this response? In the interest of fairness, we would certainly like to know exactly what they told you that convinced you that no action was necessary.
- 5) You also indicated in your first letter that the blog in which Dr. Naish originally discussed this case contained “many false statements.” The content the blog and responses to it are marginal to our case as we outlined the evidence and points we consider relevant in our letter. Still, we are curious as to which points made by the blog you consider inaccurate.

In your last letter, you expressed hopes that we could put the matter to rest and continue with our valuable scientific research. We can assure you we would much rather be pursuing research than writing these letters, but there isn't much point in doing so if our research is simply going to end up being published by someone else in a NMMNHS Bulletin. Nothing in either of your letters has done anything to alleviate these concerns. This is especially true if, as you indicated in your first letter, such unethical behavior follows NMMNHS “publishing practices and policies”. Please respond in detail.

Sincerely,

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