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VIA E-MAIL & Federal Express

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Re: Position Statement and Summary of New Evidence Submitted

Dear Bill:

Attached are copies of a number of documents for the Investigation Committee. Some of them were provided earlier; some of them are new. I am putting them all together in this e-mail in the hope that this will be convenient. A CD of a video presentation by Adam Butt is also enclosed. The documents are:

- Our submission of February 11, 2008, including PRL draft and Adam Butt (“Butt”) e-mails; video of Butt in the INOK lab with Provost Sally Mason, Lefteri Tsoukalas (“Dr. Tsoukalas”), Dr. Rusi Taleyarkhan (“Dr. Taleyarkhan”), and others (this document is on the enclosed CD); G60 lab books showing Walter’s absence for experiments on date in question; and proactive steps taken by Dr. Taleyarkhan and his co-authors to amend any discrepancies or problems first alleged by the last Investigation Committee;
- Butt’s thesis dated December 2005;
- revised Affidavits of Drs. Nigmatulin, West, and Block;
- signed Affidavit of Dr. Lahey;
- Affidavit of JaeSeon Cho (which, among other items attests to the absence of Walter and Bougaev on 9.19.03);

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- Affidavit of Shripad Revankar;
- Affidavits of School of Nuclear Engineering staff, including Darla Mize (“Mize”), Erica Timmerman (“Timmerman”), and Jere Jenkins (“Jenkins”); and
- Affidavit of two students, [REDACTED]
[REDACTED] The affidavits from the SNE staff and students attest to truthfulness aspects of Dr. Taleyarkhan versus Dr. Tsoukalas, to the significant campaign of discrimination, intimidation and reprisal waged by Dr. Tsoukalas on Dr. Taleyarkhan and his research, and also provides evidence of the influence Dr. Tsoukalas had on affecting Adam Butt’s behavior towards the end of 2005 and beyond.

In summary:

We believe it important to put this evidence (including the evidence submitted *after* the hearing) into perspective for the Investigation Committee. We believe, now more than ever, that Dr. Taleyarkhan cannot be found guilty of “research misconduct” under any definition. Research misconduct requires *intent*. There is no direct evidence of intent. All the direct evidence is to the contrary. Any circumstantial evidence which one could argue is present is simply not sufficient to show anything Dr. Taleyarkhan did is *more likely than not* research misconduct (which is the “burden of proof” for this Committee).

While Dr. Taleyarkhan does *not* have to prove anything, it seems clear that the case we presented does in fact prove that a series of events occurred, fostered by interested parties seeking to destroy Dr. Taleyarkhan and his research, which led to the endless allegations made against him and that those allegations were themselves fabricated and manufactured *after* certain events occurred which caused some members of the School of Nuclear Engineering (“SNE”) to combine with outside persons with interests directly in conflict with Dr. Taleyarkhan. We believe the same facts prove the Allegations are untrue, even though, as noted earlier, our client does not have the burden of proof on the issue. One particularly surprising fact is that the evidence shows Walters' story was fabricated (not just the log book indicating he wasn't even *there* at the time), but Walters' own testimony.

While we do not want to make this case about the SNE at Purdue University or about the tyrannical acts of Dr. Tsoukalas, the facts clearly show that Dr. Tsoukalas and his group had both the intent and a motive which resulted in actions intended to destroy Dr. Taleyarkhan. It was not pleasant for us to get into the details of Dr. Tsoukalas’ behavior; but we felt in the course of these proceedings that it was crucially important for the defense of our client that these unjust and unfair acts be brought to light before this Committee. We put on a number of totally

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credible witnesses about this and had many more ready and willing to testify. Dr. Tsoukalas and his group can be malevolent.

Given the amount of testimony we provided and the short length of time we had to provide it on February 3, 2008, we believe it important to discuss the key points in these materials and Affidavits submitted to the Investigation Committee by Dr. Taleyarkhan. This will be done in a *separate, hopefully concise, e-mail*.

Very truly yours,



Larry Selander

LS:me
Enclosures (CD of Adam Butt)

cc: Dr. P. E. Dunn
Dr. Rusi Taleyarkhan
Neville Bilimoria, Esq.