

<html><head></head><body><pre style="word-wrap: break-word; white-space: pre-wrap;"> WHAT REALLY HAPPENED AT CONCORDIA UNIVERSITY AND HOW THE MEDIA LIED ABOUT IT

Regretfully, I was precluded from presenting this argument in court due to the partiality of the trial judge.

She wrote in her judgment that The Gazette publication "was well researched". You can decide by yourself whether this is true. I reproduce the text from "Fabrikant File", with each line starting with "&gt;", and then present my comment.

The Gazette of May 27, 1994 has displayed in the left top corner the quote from Mark Twain: "Get the facts first, and then you can distort them as much as you please." The Gazette journalists took this joke quite seriously: this is exactly what they do in their daily work. Here is a quote from the article by C. Adolph, in the same issue on page A2: "Fabrikant ... killed four colleagues ... to draw attention to his disputes with the university." Can one imagine something more stupid than that: killing four people just to attract attention to a dispute! The whole "Fabrikant File" is written in exactly the same manner: take the facts first and then distort them any way they please. Here are some examples of how they did it.

&gt;The investigation also reveals that once he arrived in Canada:

&gt;He falsified his curriculum vitae by altering the field of his PhD degree

&gt;and other titles to try to get hired full time at Concordia.

The yellow journalists here claim that I had degree in a field different from Mechanical Engineering (they claim further that it was in physics). Well, why on earth would I need to alter the field, instead of going where I belonged, say, to physics? Even Cowan, who can not be accused of any kind of sympathy towards me, had to admit in his report (Page 25):

In fact, much has since been written about Dr. Fabrikant falsifying elements of various CV's over the years. I have compared them, and the differences are largely explicable, if one examines the differences in academic ranks and degree granting systems between North America and the former USSR. Thus his "upgrading" of his USSR academic ranks and subsuming of "Mechanical Engineering" within his degrees in Mechanics and Applied Mathematics in post-1983 CV's are not uncommon reinterpretations made by such emigres once they fully understood Canadian equivalencies, according to a number of them I consulted.

End of quote.

I explain for a curious reader the system of soviet scientific degrees, so that everything would be clear. The soviet system of technical education is totally different from canadian. First, it is based not on universities, but on specialized institutions. For example, in Canada one goes to a university, gets his degree, say, in electrical engineering, and then he can go to work in any industry. In Soviet Union, if you wish to work, say, in aviation industry, you have to go to an Aviation Technology Institute, and if you wish to work in Textile industry, you would go to a Textile Institute, etc.

Canadian universities give general education, and specialization is acquired at the workplace; soviet institutes gave both general education plus specialization in a particular industry, and this is why soviet students spent 5 years, rather than 4, and a very intense studying schedule (the total number of hours is about double of that canadian students spent). Soviet undergraduate degree is called "engineer", and it is about equivalent to a canadian Master degree due to the number of hours spent and the intensity of the program. The lowest scientific degree in the Soviet Union was (I give the literal translation) Candidate of Technical Sciences, which was given to a person, passing certain graduate program and defending a proper dissertation, regardless, whether it was in the field of Mechanical, Electrical or other technical sciences. In addition to a general title, there was an indication of a subfield, which was quite narrow, for example, my subfield was "Dynamics and Strength of Machines".

The requirements for such a degree were much more stringent than the general requirements for Ph.D. in Canada. For example, one would not be allowed to defend an otherwise ready dissertation, if its results were not published in at least three scientific articles, and it should be done in journals of a certain scientific standing. No such requirements exist in Canada. One can get here a Ph.D., without having to publish anything at all.

Very few Institutes were authorized to have graduate school, and the supervisor should have had the degree of Doctor of Technical Sciences (no equivalence of such a degree exists in Canada). A Candidate of Technical Sciences was not generally allowed to supervise a graduate student. In addition, the degree, conferred by any institution was not valid, until it was confirmed by the governmental Higher Attestation Commission, consisting of top scientists in the field. This was done in order to make some uniform requirements throughout the country, so that the degree conferred, say, in Moscow would be as valid as the one in Kiev. Due to these stringent requirements, there were very few specialists with even lowest degree of Candidate of Technical Sciences, for example, in the whole Institute in Ivanovo, Liakishev and I were the only two employees with scientific degrees. All other "leading scientists" had no scientific degrees. In Canada almost every university can confer the Ph.D. degree, and it is not a subject to any revision by an outside body.

The requirements for the degree of Doctor of Technical Sciences was defence of yet another dissertation, and its results should be equivalent to a major breakthrough in the field. Such occurrences were so rare that, for example, Prof. Bolotin was the only Doctor of Technical Sciences in the whole Department, In Ulyanovsk, only Rector had such a degree, nobody else; in Rybinsk at the time of my arrival there was nobody with such a degree. There is no canadian equivalence for the soviet degree of Doctor of Technical Sciences.

When I arrived in Canada, I had no idea of all the differences described above. So, as an honest person, I presented myself to T.S.Sankar as a specialist with a Master degree (I even told him that I planned to write a Doctoral dissertation, having, of course, in mind the degree of Doctor of Technical Sciences). It was T.S.Sankar himself who explained to me that I already had an equivalent of Ph.D., so I did not need to defend any doctoral dissertation. So, if I did misrepresent myself on arrival to Canada, it was quite opposite kind of misrepresentation.

>He fraudulently bumped up his students' marks at Concordia and also  
>marked test answers correct that were wrong.

At the trial Marsden was forced to admit that he, in fact, had no evidence to support such a statement. I asked him whether he saw any of the exam books, where I allegedly committed my fraud, and he admitted that he did not see any. I asked him why, and he responded that Osman refused to show it to him citing confidentiality. I asked him whether he saw any student's complaint, and he admitted that there was not a single written complaint, he believed Osman that oral complaints existed. Then I asked him whether he spoke to any of complaining students, and he said that there was no need, since he trusted Osman.

There is no way one can do such things for 12 years, without being detected. Students know very well, how they wrote their exams, and even those, who would benefit from such a fraud, would have no respect for a professor who would do such a thing. And the fact that students did respect me was established during my criminal trial when several former students of mine voluntarily came to testify, knowing full well that I was accused of the worst possible crime - murder. All of them testified that I was one of the best teachers they ever

met. All this was not a secret to the yellow journalists - this is a quote from an article (The Gazette, August 25, 1992, C. Adolph): " 'He is the best teacher I've ever had,' the student told the reporter. Apparently the quiet man with sad face was a motivated teacher, a good listener."

&gt;He lied about being offered jobs and publicly berated professors who  
&gt;refused to hire him. He also tried to evade his teaching  
&gt;responsibilities.

.....  
&gt;Fabrikant told his colleagues at Concordia he was offered jobs at the  
&gt;Universite du Quebec at Trois Rivieres and at Trent University in  
&gt;Peterborough, Ont. He said he had rejected them because he didn't want  
&gt;to go to the "boonies". But officials at those universities made  
&gt;extensive checks and found no record of Fabrikant being offered either  
&gt;temporary or permanent jobs.

.....  
&gt;[Osman:] "He said he had applied to 700 places, I said to him, 'You have  
&gt;applied to 700 places and you can't find anything? You shouldn't tell me  
&gt;that' ".

Had I been inclined to lie, I would not have told Osman about "700 places". I did not lie when I said there were some offers, and I did not lie when I said there were none, I just do not lie, period. I was offered a one-year replacement position in Mathematics Department at Trent university somewhere in 1984, and I was offered a research professor position at Universite du Quebec; I never said it was at Trois-Rivieres, it was at Chicoutimi. I did not accept the first because it was just for one year, and I did not accept second, because we could not agree on tenure (I requested it right away, and the university wanted to consider it 18 months later), and I regretted it later. My discussions were with the then Chair of Department of Applied Sciences Dr. M. Paquet. It is rather easy to check this information, I hope, Dr. Paquet is still alive and well. I could not have used the word "boonies" for a very simple reason: I did not know this word. English was, and still is, a foreign language to me.

As far as "publicly berating professors", who refused to hire me, The Gazette "found" only one. This is how they described it.

&gt;When University of Calgary professor Peter Glockner ran up against him in  
&gt;1981, he came away convinced Fabrikant had mental and behavioral  
&gt;problems.

&gt;Fabrikant had applied for a job at the University of Calgary and didn't  
&gt;even make a short list. His rejection letter came from Glockner. "He  
&gt;apparently took it very personally, because shortly thereafter I met him  
&gt;at a conference in Moncton" Glockner recalled. Fabrikant had been sent  
&gt;to the conference by Concordia.

&gt;"He buttonholed me and told me, 'What a rude and impersonal way of  
&gt;communicating a negative decision.' He demanded to know why he was not  
&gt;on a short list.

&gt;"The area in which he was active was not the area in which we were making  
&gt;an appointment. He would not accept that. He was furious. He felt he  
&gt;was the best candidate for the job," Glockner said.

&gt;What happened next is legend in Canadian mechanical engineering circles.

&gt;Fabrikant attended a Glockner lecture. Before it began, Fabrikant grew  
&gt;agitated, pacing around the room, making loud, rude remarks and badgering  
&gt;officials to begin the session.

>"He was pumped up because he was ready for a fight. No sooner had I  
>presented my paper when he started attacking everything that I said,"  
>Glockner said.

>The moderator cut Fabrikant short, but Glockner asked that Fabrikant be  
>allowed to finish. "He was simply interested in trying to embarrass me,"  
>he said.

>Fabrikant called Glockner a disgrace and urged him to resign.

>"He was shouting, being very abusive," Glockner recalled. When  
>the moderator cut off Fabrikant a second time, Glockner was relieved.  
>But Fabrikant refused to let the matter rest.

>At a later social function, Fabrikant again buttonholed Glockner and  
>resumed his attack, shouting at him as people talked and sipped drinks.

>"I just turned around and left. He was absolutely unreasonable kind of  
>fellow," Glockner said. "I was not surprised to read that Dr. Fabrikant  
>had finally blown his lead because he was ready to blow his lead 10 years  
>ago."

I deliberately copied the whole part from The Gazette to illustrate, how the yellow journalists take facts and then distort them. The only truth in the passage is that I have met Glockner and I attended his lecture, even the year and place are incorrect: I have met him in 1983, and it happened in Saskatoon. I did apply for a job, as I applied in about 1000 places everywhere. I did not "buttonhole" him, I just do not do this kind of thing. Neither did I shout or make rude remarks. A person, who behaves like that would be just expelled from any place.

I did though destroy Glockner, but I did it with an exquisite politeness. I have met in Saskatoon an acquaintance of mine who worked at the University of Calgary, and I was told that Glockner was a twin of Sankar or Swamy, namely, he had scientific prostitutes, like myself, who were writing papers, and he was travelling around presenting them as if he wrote them. I just asked Glockner what a certain character meant in "his" formula, and he could not answer, then I asked him about a simple detail of a derivation in "his" article, and he could not answer either. After that I asked him to clarify, what exactly was his part in creation of the article, and he mumbled something general, so that it was clear to everybody that he was presenting somebody else's article. At the end, with the same exquisite politeness, I suggested that in the future, it would be much more beneficial for the scientific community if he, Glockner, would let the person, who actually wrote the article, to come and to present it to a conference. That did it. I did not talk to Glockner after that, and I did not shout at him at any time. One can notice one peculiar thing in the above passage from The Gazette: they mention on several occasions that I was shouting and no indication as to what exactly I was shouting: one can not shout without pronouncing certain words, correct?

At the trial I asked Marsden, if he tried to verify correctness of his story with any other person present there, after all, it was all public, so many people could confirm it. He responded that he did not. I asked him, who was the moderator, who allegedly cut me off. He gave the name Salvadori (such person does not exist). I asked him whether he found that Dr.Salvadori and asked "Salvadori" to confirm correctness of the story, and he admitted that he did not: he knew that his story was false.

I was told though that after that encounter with me Glockner stopped his practice of running around various conferences presenting papers he did not

write. At least, I did not see his name any more. Had I behaved the way it was described in The Gazette, I would have been banned from scientific conferences.

>His books, which he claimed were classics, still languish in the  
>publisher's warehouse unsold.

The value of a scientific book is never measured by a number of copies sold. The whole printing of a scientific book is 600 copies. It never makes any money for its author: even if all printing is sold, I would receive about \$6,000, which would translate to less than \$1 per each hour spent in writing of a book. If one wants to make money, writing of a book should be the last thing he would do. The more scientifically advanced is a book, the smaller is the number of people who can read it and understand. The people who make money on scientific books are publishers. For example, my first book sold by now over 400 copies at about \$150 each, which gives the publisher profit of at least \$40,000.

I asked Marsden at the trial if he checked whether libraries of leading universities around the world have purchased my books, and he responded in negative. Then I asked him whether he spoke to any scientist, who purchased my book, whether he was satisfied with its quality, and again he responded in negative, but added that he was sure that those, who purchased my books were indeed satisfied.

>He had no evidence for the accusations of fraud and extortion he made  
>against fellow professors.

Not only I had all the documentary evidence, I presented it to C.Adolph in March of 1992. Instead of doing her job honestly, she just left a message on my answering machine, about two weeks after our first meeting, and the message was as short as it was shocking; there were two sentences: first, she stated that she "found no evidence" to support my accusations, and the second was threat that if I dare to call her back, she would ask the telephone company for protection. Needless to say that I was shocked indeed. That was the whole purpose of her message - to provoke a violent reaction. She did not succeed, I just ignored her message. On April 1, 1992, she published an article "Professor runs afoul of university", which was as false as "Fabrikant File". The purpose of the article was twofold: first, to provoke a violent reaction from me and second, to discredit me before my colleagues at Concordia.

This was the time of election of a new President of Concordia University Faculty Association (CUFA). I was running for President, and administration was dead scared that I would win. They did the following trick: one individual, pretending to be my sympathizer (D\_ELBAZ@PAVO.CONCORDIA.CA), distributed, yet again, the E-mail, which I already distributed to the community and also informed them that there was an article about me in The Gazette. The purpose was simple: people would be annoyed receiving the same big E-mail for the second time; since it came from my "sympathizer", they would be annoyed with me, and in addition, they were informed about an article which they could have missed otherwise.

Marsden did not deny that the proper documents were given to his team. When I asked, why he disregarded all these documents, judge did not allow my question. It is well known that all three professors, who I accused of fraud, (T.S. Sankar, S. Sankar and M.N.S. Swamy) were forced to retire in July of 1994. The Gazette reported at that time the interim Rector Bertrand saying that he called all three and gave them an ultimatum: either to resign before 5 p.m. that day or they would be fired; and all three resigned. Can you imagine this: they claimed to be unable to fire me, as abusive and threatening, as I was, and at the same time they have managed to get rid of three respectable, world renown scientists, tenured Full Professors, Fellows of numerous learned

societies?!

It is important to notice here, that according to Collective agreement, a tenured professor can not be fired under any circumstance: a complaint from the Dean is required and after that a letter of warning should be issued by the Vice-Rector. If professor does not correct his faults, a second complaint from the Dean should appear, and the second letter of warning should be issued, and if this second letter does not correct the situation, then professor is suspended, and the matter is referred to arbitration.

In the case of emergency (professor presents danger to the university) he can be suspended right away, and the matter be referred to arbitration if a grievance is filed. Can you imagine what kind of evidence one must have in order to be able to speak to three Full Professors the way Bertrand claimed he did, and have no doubt that these three knew very well their rights, nevertheless, they all resigned; in addition, both Sankars were left without salary until the date of retirement, and they agreed with this too. This is how it was described (The Gazette, July 21, 1994, J. Kalbfleisch): "S. Sankar was placed on unpaid leave until December 31, 1995, when he will resign from Concordia. Thiagas Sankar will be on unpaid leave from July 28 until next February, when he will follow Swamy into early retirement."

And this is how S.Sankar reacted: " 'All allegations are false, misleading and based on wrong foundation, ' Seshadri Sankar said. He added that much as he would like to disprove each of the allegations with evidence, considerations of time and his family's anguish lead him to take a leave of absence instead." Can one imagine something more ridiculous: if you did nothing wrong, why should your family be in anguish, why did you agree to resign, and why don't you fight?

And here is a quote from the Forensic Report:

"We conclude that Dr. S. Sankar's assertions are not plausible, and that he has used personnel paid in part by the university operating budget funds and grant funds for performance of an industry contract for which most of the proceeds were directed by him to his private company". This is exactly what I was telling to C.Adolph. Now, did I have the proof?

Following the report, NSERC has frozen their accounts and asked police to investigate whether criminal charges should be laid. In addition NSERC has decided to review their accounts at Concordia University, and a really astonishing review it was!

First of all, they have chosen a random sampling method of review of accounts of M.N.S.Swamy, T.S.Sankar and S.Sankar. Random sampling method is applicable where you may assume that no violation took place, and you take a random sampling just to check whether there is any reason to think otherwise. In this case, certain grave violations were established by Levi's report, and to take a random sampling in this case is nothing but an obvious whitewash.

Indeed, imagine as an example a bank teller, who made thousands of transactions honestly, and in just one embezzled a million dollars. Assume now that this teller is accused by someone of this particular embezzlement, and the bank administration sends a commission to investigate. This commission arrives, takes a random sampling of the teller's transactions, all the transactions in the random sampling are honest, commission is satisfied and declares that no embezzlement took place! You will rightfully say that this is absurd, and no bank would behave that way, and I agree, but this is exactly what happened at NSERC. The NSERC report declared that no violations were found by any of the professors, and their funding was reinstated, so taxpayer is now continuing paying for scientific prostitutes, like I was, to do scientific research so that they could put their names as co-authors,

because they are not capable of doing any research by themselves.

In an even more surprising move, Rector of Concordia University even apologized before Swamy. What the Rector did not say in his apology, how did it happen that such a "grave injustice" against Swamy could take place? Someone somewhere is very stupid, either Bertrand, who forced him to resign, or the contemporary Rector? What is even more surprising, if Swamy was wronged, why not to reinstate him; instead he was given honorary name of Professor Emeritus, but he was not reinstated. Now, both Sankars, if they did nothing wrong, why there is no apology yet to them, and why aren't they reinstated? All this spectacle is being played in order to conceal from the public the real reasons, why they were forced to resign in the first place: they, as Kenniff, Sheinin, etc., were fired for premeditated murders, because it is they who masterminded the whole provocation, which resulted in four people dead. I shall give the details further on.

>This investigation also raises serious questions about the Concordia  
>administration's conduct in the handling of Fabrikant throughout his 12  
>years at the University. How could a person who was abusive, rude and  
>threatening as Valery Fabrikant find a home at Concordia for so many  
>years? Was the university so tied up in rules and regulations that it  
>was unable to take action against him?

Here yellow journalists use their typical trick: first, they claim something which they know is not true (that I was abusive, rude and threatening), and then goes an exclamation: how could this happen. The answer is very simple: I was neither, this is why I worked there for 12 years and was promoted many times, and as desperate as administration was to nail me, they could not find anything at all. Here is a quote from the testimony by MAUREEN HABIB Executive Assistant to the Rector and Vice Chancellor at Concordia University, at my criminal trial on June 15, 1993 :

Q. Were you aware in nineteen eighty-nine (1989) of any threats made by me or rumor of threats or anything?

A. No.

.....

Q. Okay. Then there was this kind of discussion at another time?

A. Opinions were rendered to me over a period of time that were unsubstantiated of people who were afraid of you.

Q. Well, continue please. Who, when, what?

A. This is a period over a significant period of time. I believe Dr. McKenzie gave that opinion to me. Some members ... rumours were repeated and were not substantiated. When one asked individuals for facts, they did not come.  
End of quote.

I will present more testimony from my criminal trial later when I shall argue other accusations of threats.

>Fabrikant was on the Faculty of Mechanical Engineering. But he knew  
>almost nothing about mechanical engineering. He was a mathematician with  
>degrees in mechanics and electrical engineering.

How can one be a mathematician, without having any degree in Mathematics, escapes me. This absurd can also be easily contradicted by their own quotations from other places:

>Fabrikant's school record show he excelled in all courses in primary,  
>secondary and university studies, graduating with honors.

>At the Ivanovo Power Institute he wrote three research papers. On the

>strength of these papers, the Moscow Power Institute accepted him into  
>its graduate school without the requirement of entrance exams. He studied  
>under one of Russia's foremost engineers, V. V. Bolotin, a name he would  
>later use to help him get a job at Concordia.

>He graduated in 1966 with honors.

All my education, undergraduate and graduate, was at technical schools, no formal mathematical education, and I nevertheless managed to become a "mathematician". Everybody studies mechanical engineering at a technical school, and I graduated with honors, this means that I supposed to acquire at least some knowledge in this field.

While still an undergraduate student, I "wrote three research papers". What were these papers about? Since Moscow Power Institute has accepted me into its graduate school "on the strength of these papers", one might assume that these papers were in my field of study, namely, engineering, not in mathematics.

Last, but not least, I made my Ph.D. dissertation under supervision of "one of Russia's foremost engineers, V. V. Bolotin". Since Bolotin was highly respected at Concordia, one should assume that he was a mechanical engineer. How "one of Russia's foremost engineers, V. V. Bolotin" has managed to graduate a Ph.D. (myself) who "knew almost nothing about mechanical engineering"? Should not Bolotin be interviewed and asked this question? Is not it amazing that it were the reporters who themselves "knew almost nothing about mechanical engineering" had managed to discover that I "knew almost nothing about mechanical engineering"?

During the interrogation of Defendant Marsden, I asked him, why he did not interview Professor Bolotin. His response was that Bolotin refused to speak with them. I was surprised and pressed on, and I have discovered an interesting trick they used to make Bolotin refuse an interview. Instead of just getting Bolotin's telephone (which is readily available, both at home and at the institute, since Russia does not have "unlisted numbers" for ordinary citizens), and calling him with their questions, they wrote to the Vice-Rector of the Moscow Institute of Power Engineering and asked him to provide them with the Bolotin's telephone, mentioning that they wanted to know about my activities after graduation, to which Vice-Rector naturally answered that Bolotin knew me only during my studies and has no information about my post-graduate activities.

I shall comment more on this subject further on.

>It was a warm day in 1979, and Valery Fabrikant stood on the railway  
>platform in Brest, waiting to board a train that would take him across  
>Poland, through Czechoslovakia and on to Vienna.

>He was tired. It had been a long and cramped train ride from Moscow.  
>His bags bulged with engineering books and his father's heavy woolen army  
>uniform, which he thought might be handy during cold Canadian winters.

It is amazing, how these reporters can not get anything right, even the description above. This is not the way it was done: nobody was waiting on the platform, the train came first. All personal effects were already loaded in the train cars by special carriers, so when departing people are allowed to the platform, the train is there, they have to get inside, and the train departs. No bulging bags anywhere. The most bulky luggage was checked in in Moscow, and I did not see it until I arrived in Canada. I was not tired, and there was no "cramped train ride": my wife and I had a separate coupe for two, with a shower and a toilet - feature which american railways just do not

have.

>Standing next to Fabrikant on the concrete platform in Brest was his  
>ex-wife Galina.

Again false: nobody was allowed to platform, except those leaving country.

>No one else came to see him off.

Assume that you would leave Canada at that time to emigrate to the Soviet Union. Assume also that you had to go first from Montreal to Toronto, to change trains there and to go to Halifax to board a ship to Europe. Now, how many people would go with you till Halifax, especially taking into consideration that you were considered as a traitor to your country? Galina displayed a lot of courage going with me all the way to Brest.

>Soviet Russia was glad to be rid of Valery Fabrikant.

Soviet Russia as such had no idea about existence of Fabrikant at that time. As far as certain specific people is concerned, I have forced Marsden to deposit in court the record of his interview with Vaks, where he explicitly asked Vaks, and I quote: "Place where Fabrikant worked, they were eager to get rid of Fabrikant, so they were eager to get him out of the country?" To this Vaks responded: "This I do not know. I know many cases where people who applied for emigration were given visas within two months. It wasn't an exception. Actually, their law required that they consider any application within 30 days. They never did it, but in smaller cities, not in Moscow or in Leningrad, people were often given exit visas within two months." End of quote.

>About 15 years younger than Fabrikant, Galina [Fabrikant wife] had been  
>his student. She had idolized him. She had championed his causes,  
>supporting him in his numerous battles with the Soviet academia. She  
>stuck with him from job to job.

Let us do some simple arithmetics. I was 26 when I got my Ph.D. degree, arrived in Rybinsk and met Galina. Had Galina been 15 years younger, she must have been 11 studying at the university level. Sloppy journalism.

I did not have any battles with soviet academia: all my russian articles are single-authored, I did not have to include anyone there as a co-author. My "battles" were with soviet KGB. I married Galina in 1976, when I was at my last job in Ivanovo, so she could not have possibly "stuck" with me from job to job.

>But when he decided to emigrate, Fabrikant discarded her. He divorced her  
>because she couldn't have children and he wanted to start a new family  
>in Canada. Still, Galina promised to take care of his aging mother and  
>alcoholic brother and she loyally came to say farewell.

The lie here is deliberate: Marsden testified at the trial that he interviewed Vaks on this subject, and this is what Vaks told him: "She (my wife) had security clearance. She was not able to leave the country. ... They divorced simply because he was leaving the country. They were in love. It was a sad departure". Compare it with the quote above. The soviet emigration law was quite harsh: a person leaving country was stripped of his citizenship; if a person had security clearance, he could not leave; a married person could not leave without a spouse, so divorce was the only way out.

My alcoholic brother was married, so he did not need Galina to care for him. The fact that Galina agreed to care for my mother for any normal person would

be a proof of two things: 1) I did not discard Galina; 2) I was a good son.

They did exactly the same trick to avoid contacts with my first wife Galina, as the one they used to avoid interview with Professor Bolotin: they asked the same Vice-Rector her thereabouts, and of course, he in Moscow had no idea about my wife. Had they really wanted to know about Galina, they could have asked in Ivanovo when they interviewed Livadonov or Liakishev, but they did not. The reason is obvious: they needed dirt on me, and Galina was an unlikely candidate to provide it.

>Born in the Belorussian capital, Minsk, on January 28, 1940, Fabrikant  
>came from a military family. His father, a committed communist, was  
>Lt.-Col. Isaac Fabrikant. His mother, Pesya Yudelevna was housewife.

If there is some kind of fake in my biography - it is my birthday. My real birthday is December 28, 1939. During the war all the documents were lost, and when a new birth certificate was issued, my mother changed my birthday to January 28, 1940 for a very simple reason: she wanted me to have one additional year prior to being called to serve in the army, which is obligatory in Russia. She did the same thing with brother's birthday: she moved it one year ahead.

I did not come from a "military family": my father was a medical doctor - researcher in tuberculosis, which at that time was as important as AIDS now. Prior to the war he has published a book on tuberculosis. He has never been a communist, on the contrary, he has always been very critical of communist regime, and it was he who instilled in me the same ideology. I departed from Komsomol (Young Communist League), something which very few people dared to do. My mother was not a housewife - she was a bookkeeper. She stopped working at about 1946 when we moved to Germany.

When the Great Patriotic War started on June 22, 1941, my father enlisted into the army, and this is how he became a military doctor. Due to his professional standing, he was given officer's rank. He finished the war in Berlin, and we joined him in 1946. We lived in Germany until 1949. I started my primary school there. My father tried to get out of the army but they would not let him. Army in Russia is not a place from which one can resign on his own volition. In 1949 he was transferred to Ivanovo.

>Colleagues remember that he practiced one-handed hand-stands in his  
>room.

These yellow journalists just can not help lying, even when they do not write some nasty things about me: the truth is that no colleague of mine could have told them that, because I was never able to make a one-handed hand-stand, and I never did any gymnastics in my room, more than that: I never had a room of my own during my studies, we had a two-room apartment and there were four of us there..

>He graduated in 1966 with honors. It was then that the trouble began.  
>Twenty-six years old and unable to find a job in Moscow, Fabrikant was  
>forced to seek employment in the boondocks of Russian Academia.

There was no such thing as a job in Moscow for someone who was not a resident of Moscow. Only Moscow residents were entitled to be hired in Moscow, this was the law. In addition, those who graduated from any school usually did not have choice as to where to work: they were sent to a place (usually remote one) where they would have to work for at least two years, otherwise their diploma would not be given to them.

>He took a minor position at the Institute of Aircraft Technology. Two

>years later he experienced his second setback. For unknown reasons he  
>was demoted to the position of programming analyst at the nearby Aviation  
>Engine Manufacturing plant.

What exactly was this "minor position"? In Canada the lowest position for a Ph.D. is Assistant Professor. Was it a Soviet equivalent of Assistant Professor? One does not have to be a genius to assume that Soviet university positions are different from Canadian ones. Should not serious reporters address this issue? If they spent their time, energy and printed space to describe how Galina was dressed at a worker's dance, they could address this issue, at least, as equally important. I started working "at the Institute of Aircraft Technology". Sounds like an engineering, rather than mathematical institution. What was I teaching there? Was it mathematics? No answers. We read further "For unknown reasons he was demoted ..." What happened with the Institute? It no longer exists? Where are all my former students and colleagues? Would not it be nice to interview them, so that they could tell the stories how I abused them, threatened them, etc.? What were those "unknown reasons"? Why not to interview the Institute's Rector and find out?

One can be "demoted" within the same institution. How could I stop working for the Institute, start working at a nearby plant, and be "demoted"? I must have been fired (or quit) at one place and hired (into a lower position) at a new place. One does not do such things at his own volition, so what happened in Rybinsk? Was there any "battle with the Soviet academia"?

The truth is that I was fired as political unreliable for explaining to my students that Communist Party and communist regime were not the best in the world, that they should not blindly believe what they were reading in the newspapers, but rather use their own brain to come to proper conclusions. Official basis for my firing was the decision of the Institute Communist Party caucus of July 3, 1969, but clearly, KGB was behind it. And KGB did not deny it: several days after the firing I came to KGB and asked to see the head of Rybinsk KGB. I was met by his deputy, who explained to me that the reason for my firing was not just several phrases said during my lectures, but a pretty long history of similar behavior, and he mentioned to me numerous facts, some of them I sincerely forgot existed. I was amazed of how much they knew about me, and every fact was true, - KGB seemed to be the only organization in the Soviet Union which functioned like a clockwork.

They knew that during my graduate studies in Moscow, I accused the Moscow Power Engineering Institute officials of antisemitism when they refused to accept my brother for graduate studies, though he got the best score of those applied. At that time Prof. Bolotin called me and told me point blank that if I do not shut up, he would have no choice but to expel me. This was the nature of my "battles with soviet academia".

The biggest surprise of this conversation with the KGB official for me was realization that my former girlfriend at the time of my undergraduate studies was informing on me to the KGB, since some of the phrases quoted back to me I said to her, and her alone. I knew that her brother was working for KGB, but in all my stupidity concerning human relationships, it seemed to me inconceivable that a girl in close relationship with me would inform on me to KGB. She told me that her brother was somewhere in Siberia and that she did not have any relationship with him. I remember both my parents turn white with fear when they heard me talking to her on political issues. When she left, they told me right away that she was an informer, but as any young man, I neglected their wisdom, and I paid dearly for this.

I was somewhat surprised that such a high-ranking KGB official would spent several hours talking to me. Several years later I understood the reasons: KGB had some long-range plans concerning me; they planned to turn me into an

informer.

For a curious reader I describe below the soviet system of academic positions. In Canada there are three positions: Assistant Professor, Associate Professor, and Full Professor. In the Soviet Union there were four position, and their exact translation is: Junior Instructor, Senior Instructor, Docent and Professor. When I just came to Canada, I naively thought that soviet Professor is equivalent to canadian Full Professor, and going from the top, I identified my position of docent as Associate Professor. Later on, I understood, that what was called Professor in the Soviet Union just does not exist in Canada, since soviet Professor was to hold a degree of Doctor of Science, which also does not exist in Canada. In order for the reader to understand just how rare this position was, it suffice to say that in the whole Institution in Rybinsk there was not a single Professor, in Ulyanovsk - only the Rector was Professor. When I understood this I have rewritten my resume and moved all my positions held one step up.

>That lasted only a year. He left under a cloud in 1970 to take a job as  
>an instructor in theoretical mechanics at the Polytechnic Institute.  
>[...] According to his records, he was considered a gifted scientist.  
>Two years later, in 1972, he was promoted to an assistant professor. But  
>that didn't last long. Suddenly, in 1973, he quit. His records show that  
>he "left of his own volition". But as subsequent events would prove,  
>this was an euphemism for being fired.

Can anyone explain what it means "left under a cloud"? Was there some irregularity in my new hiring? If yes, it should be exposed. I was considered a gifted scientist, well, in what field? According to reporters, I knew almost nothing about Mechanical Engineering. Where are the interviews with my former students and colleagues? Did not they tell the reporters numerous horror stories how I "threatened them and frequently flew into violent rages"?

How could I be promoted to Assistant Professor if this is the lowest position possible? (See the explanation of soviet positions above) I was promoted to docent (equivalent to canadian Full Professor).

Here is what really happened in Ulyanovsk. I was indeed surprised when I was hired in Ulyanovsk: it was well known that people fired for political reasons from teaching positions would never be allowed back. Several months after I was fired from Rybinsk Aviation Technology Institute, I learned that there was a poll - teachers' evaluation conducted among students, and majority of students wrote my name answering the question: "Who is the best teacher?", though they knew very well that I was no longer there, and that I was fired as political unreliable. When I was hired back to Ulyanovsk Polytechnic, I naively thought that the authorities allowed me back appreciating my qualities as a teacher. I was wrong.

The "explanation" came in 1972 when KGB approached me in Ulyanovsk and suggested that I become their informer, which I refused, and after that I just had to get out and quickly. The KGB officer intimated to me quite clearly that had I agreed to cooperate with them, I would have had a brilliant career (he mentioned even that my recent promotion to Full Professor was their "advance payment" for my future services). He did not explicitly threatened me, but he indicated that should I refuse, the fact that I have already been fired for political reasons, would not allow me to continue at the teaching position. There was no tenure in soviet universities, every four years each professor had to have his contract renewed by the so-called Learned Council. This renewal was usually automatic, but not for political unreliable people. This procedure was designed by soviet authorities to get rid of political unreliable, without having to reproach them anything. Such a decision would

be without appeal, except in the case of procedural irregularity. At about the same time a female professor was voted down at Ulyanovsk University. Nothing was reproached to her and the rumour was that the decision was political. I had no doubt that I would be next, if I do not go on my own.

>After this, his career nosedived. In what was considered a death blow to  
>the career of a Soviet scientist, he moved from academia to light  
>industry.

The yellow reporters failed to inform the public, that I sacrificed my career in order to stay an honest person.

>[Then] he got a job as a research scientist at the Automatic Control  
>Systems Institute [...]. Fabrikant first boss, Efim Scheinberg, [...] >quickly became his arch enemy.

>At one point, Fabrikant accused Scheinberg of stealing his scientific  
>ideas. He threatened Scheinberg. A long term quarrel ensued and was  
>finally settled in Scheinberg's favor in the institute's comrades' court,  
>a sort of in-house procedure for settling workers' disputes.

>According to the institute records and to witnesses the proceedings  
>became legendary because at one point Fabrikant attacked Scheinberg and  
>tried to club him with a chair.

At the trial I asked Marsden to present to the court these "institute records", according to which I attacked Scheinberg. He could not present any. Then I questioned defendant Marsden, why he did not ask Scheinberg to confirm conflict with me, and he could not answer the question. But the answer is very simple: he knew that all this is a lie and that Scheinberg would not confirm it. The truth is that I had no joint publications with Scheinberg, so I could not accuse him of stealing my ideas, and therefore, I had no "comrades' court" case against him, and I had no reason to club him with anything. There was another individual, if I recall correct, his name was Valov, and he indeed had a quarrel with Scheinberg concerning ideas. There were rumours that there was some kind of physical confrontation between them, but nobody actually saw it.

>After the [chair] incident, Fabrikant was transferred to a division run  
>by Vadim Livadonov [...].

>Igor Liakishev, who headed Fabrikant's division at the Ivanovo Institute,

...

A very interesting division: run by Livadonov and headed by Liakishev. These yellow journalists can not get anything right.

The truth is that Scheinberg who, according to Yanpolsky (reporter used by The Gazette), was "a weirdo and quarrelsome guy", had antagonized everybody in his division, so everybody, not just Fabrikant, was transferred to other divisions. Scheinberg was left a head of division with no employees. Everybody was surprised, why he was not fired or demoted, and the rumour was that he was a KGB informer, and this was why he was treated so "gently".

>Livadonov [...] said he remembered Fabrikant as a quarrelsome,  
>belligerent person who picked fights with everybody. "It was difficult to  
>discuss things with Fabrikant because he quickly lost his temper and  
>would hurl things like books" said Livadonov, choosing his words  
>carefully. "It was constant tension and conflict. That was the routine.  
>Every day something happened." He called Fabrikant a fraud and said he  
>was not a good scientist.

If my custom was to "hurl things like books", how come in 12 years at the

university nobody noticed this?

>"He worked as a programmer, but his programs never worked in spite of the fact that they looked good on paper".

>"He didn't finish his work. He would have an idea but he would not carry it out. Still, in some ways he was better than some others."

If I worked as a programmer, and my programs never worked, how could I possibly be "better than some others"? What could be worse than a programmer whose programs never work? I can suggest an answer: only a journalist, who never tells the truth is worse than a programmer mentioned above.

I have managed to publish numerous scientific articles plus two books - does this look like an individual who can not finish his work?

>Igor Liakishev, who headed Fabrikant's division at the Ivanovo Institute, characterized Fabrikant as an unreliable person and dismissed him as dishonorable. [...] Liakishev recalled that Fabrikant could never admit to a mistake.

>"I once told him that he didn't understand what he was doing and that he wasn't fulfilling the assigned task. After that, he would write down everything I told him into a special notebook so he could catch me in a lie or something. Sort of throw my words back at me".

>"He constantly claimed that envious colleagues were trying to keep him down". Liakishev said.

Liakishev was contacted by my brother and he denied saying any of these. On the contrary, he told my brother that he qualified me as a good scientist.

>Institute records show that Fabrikant complained to the KGB and the regional and central committees about colleagues conspiring against him. His colleagues said Fabrikant often cited speeches by Brezhnev or Lenin to prove that they were anti-communist and threatened to denounce them to the authorities.

I challenged Marsden during the trial to produce a single complaint of mine to KGB concerning my colleagues, conspiring against me, promising to discontinue my lawsuit should he be able to produce one single complaint. He did not grab my offer. Here, as usual, the yellow journalists take the facts and then distort them, as they please. The fact here is that I did write a complaint, but it was not a complaint to KGB - it was a complaint on KGB. See further for details.

>Fabrikant even antagonized the medical staff at a local clinic. He was determined to have children. When repeated attempts failed, he went to a clinic to have his sperm tested. Galina Osokina, an Ivanovo doctor, complained to Fabrikant's colleagues that Fabrikant became belligerent after receiving the results of his sperm test.

>"The results of the test didn't satisfy him and he started writing complaints to the health care department about the improper work of Dr. Osokina. He also began to make regular visits to the poly-clinic, bringing a medical reference book, and he would try to teach the staff how to run a sperm test. He was a pain in the ass", Liakishev said.

Take notice here that there is no interview with Dr. Osokina - it is allegedly Liakishev, who tells the story. The reason of not having interview with Osokina is very simple: they would have to ask her whether they really did not do the test properly, and she would have to answer positively. Now, what would you do, if you need to take a medical test, you know that a doctor is

not doing the job properly, and you can not go to another doctor (this is how soviet system did function - one had to use doctors, according to their address, and they could not use any other)? Would you take a book and show it to the doctor or keep quiet? What is a lie in the passage above - that I made "regular visits" with the book, I did it one time, and that was the end of it.

Regretfully, ignorant doctors exist not only in Canada (remember the case of a 10-year-old boy who died of appendicitis, because ignorant doctors failed to detect it), there was enough ignorant doctors in the Soviet Union. What I do not understand here, why is Fabrikant a bad guy, when a medical doctor is ignorant? It is very easy to decide here who was right: I got married on December 23, 1981, and our son was born on September 21, 1982. Can one present a better proof?

>By 1978, Fabrikant's job came up for renewal. The hearings are normally a  
>routine procedure in which a board of 15 colleagues votes to renew a  
>scientist's contract. Fabrikant's hearings inspired a sort of cabal  
>against him. His bosses all told the Gazette that the leading scientists  
>at the Ivanovo Institute colluded to vote him out because of his  
>threatening behavior. "He didn't deserve it as a scientist", Liakishev  
>said. "He was neither very good nor very poor, and there were people who  
>passed the proceedings who were much worse". Fabrikant's former  
>colleagues agreed that it was almost unheard of to vote out a colleague.  
>The institute offered him a lesser position as a senior engineer at the  
>same salary. But Fabrikant refused and launched a lawsuit.

>He charged that he was being persecuted as a Jew, that the institute had  
>insulted his honor and that his firing was illegal.

The key phrase here is: "His bosses all told the Gazette that the leading scientists at the Ivanovo Institute colluded to vote him out because of his threatening behavior", and it is false, starting with the part "told the Gazette" - Marsden had to admit that not a single reported from The Gazette was in Russia at any time. All "information" came from someone Yanpolsky, who admitted using "presents" to get desired information. I reproduce below the text of the letter from Yanpolsky to Marsden, which I forced Marsden to deposit in court (it is reproduced with all spelling errors):

\*\*\*\*\* Dear mr. Marsdean (sic!) \*\*\*\*\*

In order to get an information from NIPI ASU, such as xerox of the Fabricant's personal record or one of his wife, you should either send fax to Ivanovo (fax: (0932) 23-4540) to mr. Mohovikov S.A., vice director, or give me any credentials confirming that I represent your newspaper. I have had lots of problems without any papers.

There is the same situation if you would like to obtain something from the court archives.

About my fee: I think that US\$ 130 is the whole sum, including the US\$ 100 fee itself and \$30 compensation for the travel (including "presents" I gave to various people, railway tickets, board and meals in Ivanovo), fax and a phonecall. Of course if you find that I have done the job you wanted.

If you ever need an information, I am entirely at your disposal.

Yours sincerely (signed)

Andrey Yanpolsky.

My phone number is (095) 291-1735, addr. 121019, Russia, Moscow, Suvorovsky bulvar 8, 55.

End of the letter.

The important parts of the letter are: Yanpolsky offered Marsden to find my first wife, and Marsden chose not to do it; Yanpolsky did not have any The Gazette credentials; he admits giving "presents" to those interviewed, in hungry Russia any "information" can be obtained in exchange for a good "present"; The Gazette had him quite cheap. Translation of the phrase "Of course if you find that I have done the job you wanted": Of course if you find that have scrapped enough dirt on Fabrikant. There is no doubt that the "presents" included vodka, otherwise it is difficult to explain the self-contradicting nonsense attributed to both Livadonov and Liakishev (that none of my programs work, and still I was better than some others). Only drunken people could have said all that.

Now, assume, for the sake of argument that indeed, "the leading scientists" wanted to get rid of me. Why would then they offer me the position of a senior engineer at the same salary? What if I accepted the offer? How then would they get rid of me? Taking into consideration my "disastrous work history", it was reasonable for them to assume that I would accept the offer.

There is one important point: position of senior engineer was not reviewable every four years, it was permanent, so there would be no way to get rid of me. On the other hand, my salary was over 2.5 times the salary of senior engineer, so the offer was very tempting indeed. Does all this make sense?

And here is what really happened. KGB seemed to still have hope that it could coerce me into being their informant. They wanted to show me that I could run, but I could not hide from them, that they can get me wherever I am. They also knew that a loss of job would affect me quite seriously, so they were sure that if they play with me the trick of not renewing my contract, I would understand that it was their job (since they planned to play the same trick in Ulyanovsk) and I would come to them and would beg to take me as an informant in exchange for a job. This did not happened.

I do not know exactly, how they arranged this vote against me, but I assume that those who voted against me were KGB informants (majority of bosses were, this is why they got their positions in the first place), so KGB just told them to vote the way they did. I had no personal quarrel with any of them, more than that, I was a nobody, I had no dealings with any of them, not even on the "hi"- "bye" level. I imagine though that some of them did not like me for two reasons: first, I was Jewish, second, I had a salary on the level of the Director of the Institute, since I had the scientific degree, which none of them (including Director) had. I knew that the fact that I was a nobody, but had a salary much greater than majority of bosses, irritated some of them.

According to the rules, in order to vote me out, more than 50% of the listed member of the Learned Council should have voted against me. When the vote was counted, the number of votes against me was over the half of those present, but less than 50% of the number of listed members, since many were absent. This is yet another proof that KGB wanted to scare me rather than to really have me fired. They could have arranged more votes against me, had they wanted to do so. Yet another indication that KGB did not really want to have me fired was the fact that the Institute Director did not react to the vote of the Learned Council for several months, and it was I who challenged him to react. I did this for the following reasons: first, I wanted to show KGB that I was no longer afraid of them, and second, I have already decided that if I can not get justice done in such an obvious case, I am leaving that country.

Yet another consideration was for the well-being of my wife and my mother, who would have to stay behind in case I leave. It was important for me to show to the community that I was wronged to such an extent that I had no choice, but

to leave. People, who emigrated, were labelled traitors, and there was a possibility of backlash against family which stayed behind. Population knew very well that the majority of people, who left the country, did this not because they were mistreated, but because they knew that they would make much more money in the West, and population in general resented it. I did not want to place myself in this category, and not just because of considerations for my mother and wife, it was also against my own moral principles to leave the country just for the reason that elsewhere I would be paid more.

After several months of prodding on my part, Director had fired me. After this I wrote a complaint against Ivanovo branch of KGB, and sent it to Moscow. I also went to Moscow myself, went to the Communist Party Central Committee and requested meeting with the Secretary responsible for light industry. I was met by his deputy and I described to him what happened, and he promised to investigate. My feeling was that he understood that Ivanovo KGB branch did a stupid thing, and he was looking for a face-saving move. Shortly after my return from Moscow, I was offered to be rehired as a Senior Engineer at the same salary, which I refused. The offer was neither bad, nor insulting, on the contrary, it was an indirect admission of wrongdoing: as a Senior Engineer, I was not entitled to the hefty addition to my salary due to my scientific degree, which I received as a Researcher, so offering me the same salary, the Institute was bending the rules. In addition, accepting the offer, I would have had job for life, since position of Senior Engineer was permanent and not subject to review every four years.

>He charged that he was being persecuted as a Jew, that the institute had >insulted his honor and that his firing was illegal.

Nonsense. The decision of the Learned Council was beyond jurisdiction of civil courts. I could only challenge it on procedural grounds, and I did. My claim was that more than 50% of the list members should have voted against me, not just over 50% of those actually present. Since this was the case, I had to be reinstated.

>The civil trial took place in December 1978 [...] What eventually sank >Fabrikant was the evidence of his previous job performances, which >showed, according to the record, an uninterrupted pattern of abusive and >belligerent behavior. It proved that he was forced to leave his teaching >job at the Ulyanovsk Polytechnic Institute under similar circumstances.

Again nonsense. Even if I was abusive in Ulyanovsk, this evidence would be inadmissible and irrelevant to the case. Besides, according to Livadonov, I worked as a programmer and my programs never worked, - is not this sufficient reason to fire me? But what is interesting here - that there was indeed analogy between events in Ulyanovsk and Ivanovo, but it was not my alleged abusive behavior, but continuous attempts of KGB to make me their informer, and of course, this could not be a subject in court. I did though lose the case, but the reason was the fact that whenever KGB was involved, one could not win against KGB.

I forced defendant Marsden to deposit in court the document he received from his informer Andrey Yanpolsky. I quote:  
"The trial took place in winter 1978-79 (I suppose in December) in the court of Leninsky district of Ivanovo (judge Kovaleva). The action consisted of three clauses:

1. Persecution of Jews
- 2, Insulting of his honor
3. Something else"

End of quote

This "Something else" above takes the cake: clearly, he did not see the court

documents, otherwise he would know what, if anything, this "Something else" was. It is clear from above also that he did not know the date of trial, which means that he did not bother even to come to the court. This is not surprising, since The Gazette was not interested in the truth, and Yanpolsky understood this as well. He was prepared to write anything in order to earn his US\$130 fee (see his letter above).

&gt;Fabrikant lost his case and was fired from the Ivanovo Institute.

Yet another absurd: I was fired first, then I have launched the lawsuit, not vice-versa.

&gt;With his disastrous work history, he was unable to find a job. So, for  
&gt;the first time he began thinking of emigrating to the West.

There was no such thing as unemployment in the old Soviet Union: the right to work was one of the constitutional rights. The only people, who could not find the job, were the dissidents. Even the last drunkard, fired from one place, had to be hired at another place, because this was his constitutional right. Had I planned to stay, I would have accepted the offer from the Institute.

&gt;So eager were the Soviets to get rid of Fabrikant that the KGB demanded  
&gt;he sign a form [to leave the country].

&gt;Fabrikant, however refused. He told the KGB he had changed his mind and  
&gt;wanted to stay. [...] The regional party secretary, who knew all about  
&gt;Fabrikant's from his constant complaints and court actions, told him he  
&gt;had to leave because, without a job, life would be too difficult in the  
&gt;Soviet Union.

Can you imagine this kind of nonsense: there is that violent and abusive Fabrikant, and poor KGB is so desperate to get him out that it calls Fabrikant and begs him to sign document that he agrees to leave the country? Poor dissidents, instead of rotting in Soviet jails and insane asylums, all they had to do was to be violent and abusive as Fabrikant! The regional party secretary, who is as almighty, as God, has no better thing to do than to spend his time meeting with violent and abusive Fabrikant to give him the news that his belligerence is rewarded by permission to get out of country! The Gazette must consider its readers totally dumb, are they?

&gt;In December 1979, Fabrikant arrived at Concordia University and declared  
&gt;"I'm a scientist escaped from the Soviet Union".

The word "escape" means that I left country illegally, which was not the case, so I could not have possibly said that.

&gt;An immigrant himself who had become the chairman of the mechanical  
&gt;engineering department, T.S. Sankar sympathized with Fabrikant and wanted  
&gt;to help. But there was nothing he could offer Fabrikant. What little  
&gt;money Sankar had was for hiring graduate students for research projects.  
&gt;Still, Fabrikant was persistent. He said, almost blurting it out, that he  
&gt;had been a student of V.V. Bolotin, a well-known Russian scientist.  
&gt;Sankar was impressed. He knew and respected Bolotin. So he offered  
&gt;Fabrikant a few thousand dollars to help with research projects.

I did not have to blurt anything out: any professional conversation with a newcomer always includes questions such as who was the thesis supervisor and what was the subject of the thesis. V.V. Bolotin was well known so it was not surprising that T.S. Sankar knew him, but what really impressed Sankar, it was my publications which were translated in English and available in the university library. I presented myself as a Master in Mechanics and Applied

Mathematics (I was unaware of canadian system of scientific degrees, and did my best to translate my understanding of it). It was T.S.Sankar who told me that I had equivalent of Ph.D.

>He expected Fabrikant to turn it down. After all, Fabrikant was >overqualified and could earn more washing dishes. But Fabrikant grabbed >the offer. Sankar was more than pleased. He told himself it would only be >temporary. But for at least a few months he could rely on an experienced >researcher at a bargain price. As for Fabrikant, he had what the wanted: >a foot in the door.

A very interesting passage: to have "a foot in the door" means that someone tries to get in a position he does not deserve. On the other hand, several sentences above we read that I was "overqualified"! This is nice, I was overqualified, but in what field? Remember, The Gazette has discovered that even after 12 years at Concordia I still "knew almost nothing about Mechanical Engineering"?

I have accepted the offer for a very simple reason: I did not come to Canada to make more money than I was making in the Soviet Union; I came to a country, which, as I naively believed at that time, respected its laws, unlike lawless Soviet Union, which rewarded hard and honest work, etc. (Gosh, was I wrong!)

Science has always been my life, and it still is; I came to Canada to be free to do my science, and it just did not matter how much I was paid, I would do it if I were not paid at all.

>But Fabrikant would pick up in Montreal exactly where he left off in the >Soviet Union. He would threaten and fight with his colleagues at >Concordia and elsewhere, making enemies wherever he went.

Had I really behaved like that, my first 6-month contract would be the last I ever had.

>Sankar assigned Fabrikant work on problems related to stochastic >processes [...] but Fabrikant wasn't interested. Sankar recalled that he >dismissed the articles [given by Sankar to Fabrikant] claiming they were >riddled with unspecified errors. Fabrikant said he preferred to work on >Contact Problems instead. [...] He bristled at outside interference in >his work. So gradually Sankar let him be.

I was in a very delicate situation. I have read Sankar's papers, and it has become clear to me that there was nothing to investigate there. The papers were based on mathematical error, which was missed by reviewers. I tried to brake it to T.S.Sankar as gently as I could, since continuation of my contract depended on him, but I gave him pretty good indication as to what and where his errors were. I did not have to "bristle" on outside interference: there was none, since T.S.Sankar did not understand a word in what I was doing.

Now, "Contact Problems" - are they part of mechanical engineering? And if they are, then I must know something in mechanical engineering.

>"He had definite preferences in terms of what he wanted to do, whether >you liked or not", Sankar recalled. Although Fabrikant was often >intractable and did not always want to do what he was asked to do, Sankar >continued to work with him because of his ability to generate research >efforts in collaboration with Sankar and others.

Hold it, just several paragraphs above the yellow journalists claimed that "He (I) would threaten and fight with his colleagues at Concordia and elsewhere, making enemies wherever he went". Funny?

At the trial, I asked defendant Marsden what the phrase "ability to generate research efforts in collaboration with Sankar and others" mean, and he did not know what to say. It means very simply that Sankar liked the situation when I was writing papers, which were published in the best journals in the field, and he was listed as a co-author (sometimes, as a first author), though his contribution to these articles was zero. On the strength of my publications, T.S.Sankar, in a very short period, has almost tripled the amount of grant money he got from NSERC. He liked it.

>What Sankar didn't realize at the time was that Fabrikant had convinced  
>himself that he had discovered a new scientific method that would  
>catapult him into the highest ranks of science.

Here is a quote from Sankar's letter to the then Vice-Rector Daniels of August 19, 1983:

Further, we are on the verge of achieving a major breakthrough in the solution of a class of diffusion problems which will considerably affect the scientific thinking not only in the area of mechanics but also in environmental (ocean and air pollution) and geotechnical applications. I would like to, if I can, keep Dr. Fabrikant with us at least until we complete this study.

Unless he did not mean what he was writing, it was T.S.Sankar himself who claimed major breakthrough which was to "affect the scientific thinking", wow! Not only Sankar was well aware, but he seemed to support that notion.

>"He once told me that after his death his work would be put on the same  
>level as James Maxwell" said Leonid Roytman from CUNY.

I have discovered during the trial that major part of "information" came to the yellow journalists from Roytman. He had some special reasons to lie about me: he was the same kind of scientific prostitute, as I was. He included M.N.S.Swamy in his articles. The main difference between him and myself was that his main concern and objective has always been money: this is why he left Russia in the first place, he was never persecuted in any shape or form. He saw nothing wrong in being scientific prostitute, as long as it paid him enough in his estimate. Of course, he would never admit what he did, so he needed to present me as some kind of wacko, who does not deserve any credibility.

I am pretty proud of my contribution to my field of study, but I never compared myself to Maxwell.

>Before Fabrikant left the USSR, his father died, leaving him a modest  
>amount of money. Officials refused to allow Fabrikant to take it out of  
>the country. Once in Canada he wrote to the External Affairs Department,  
>demanding that Canada suspend grain shipments to the USSR until he  
>received his money.

This nonsense also came from Roytman, and this says it all. The only truth here is that I wrote to External Affairs asking for help, and they did finally help, since I have received the money. I have requested, according to the Privacy Act, a copy of my letter to them. Here is the text of my letter, dated December 25, 1980:

I am a landed immigrant in Canada from 05.12.1979. My father Fabrikant Isaak died in Russia in 1977. In his will he left certain amount of money for me. I did not receive that money while in Russia because neither I nor my mother knew about that bank account. My mother occasionally found it when i was already in Canada and wrote to me about that. I asked the Soviet

association of lawyers "Iniurcolleguia" to perform necessary formalities to transfer the money from Russia to Canada. I received the answer, that the money left for me by my father can not be transferred to Canada because at the moment of my father's death I was in Russia. I think this is not fair. I shall be very grateful for any advice or any help in this case.

For example, if this refusal contradicts to the agreement between Soviet and Canadian governments, the Ministry of Foreign Affairs could have helped me by withholding some money to be transferred to Russia until they return my money. Any advice or help will be highly appreciated.

As one can see, there is no mentioning of the grain shipments.

&gt;He also started looking for a new wife. ...

&gt;Fabrikant became almost desperate, At one point, he complained to &gt;Roytman that he might have to bring over his ex-wife, Galina. ...

&gt;"He was obsessed with having children", said Vaks, who arrived in New &gt;York in 1980 and now works in California.

At the trial defendant Marsden admitted that Vaks did not say it, all information came, you got it, from Roytman. Now, if I was "obsessed" with having children, and I "discarded" Galina, because she could not have children, what was the point to bring her to Canada? This is why liars have their pants on fire.

In terms of Roytman's lies, the next passage takes the cake, and I reproduce it completely:

&gt;Vaks's wife, Larisa, eventually found Maya Tyker, then a 21-year old &gt;Russian woman living in Brooklyn.

&gt;When Larisa phoned Fabrikant with the news, he hopped in his K-car and &gt;drove straight to Brooklyn. That same day, the Vakses introduced him to &gt;Maya.

&gt;Then, as Vaks recalled, things went a bit strange. It was late spring &gt;1982 and still not warm enough to swim. But Fabrikant insisted that they &gt;all go to nearby Brighton Beach. So Maya, the Vakses and Fabrikant &gt;climbed into the K-car.

&gt;On the beach, Fabrikant stripped down to his bathing suit. He insisted &gt;that Maya remove her clothes, too.

&gt;"I want to see your skin to see if you have clean skin," he told her, &gt;according to the Vakses.

&gt;At first, Maya refused, saying she did not have her bathing suit. But &gt;Fabrikant ignored her and started unbuttoning her blouse and removing &gt;her clothes. Maya did not resist.

&gt;When he had removed most of her clothes, Fabrikant looked her over and &gt;then told her to dress.

The only truth in the above is that it was Larisa who introduced me to Maya. When we met, Maya was 23, I had no car. In the spring of 1982, Maya was already 5 months pregnant, so one can imagine that by that time I knew enough about her skin.

At the trail I caught Marsden on this lie very easily: Larisa died in 1990, so

she could not possibly tell him all this. He had to admit that the source was, you guessed it, Roytman again. He also admitted that Vaks denied veracity of this story. The purpose of this lie is obvious: to present me as an insensitive idiot, and to present Maya as mentally impaired obedient idiot too. Nothing is too low for yellow journalists! Remember, they presented Galya in a similar light: I have "discarded" her, and she nevertheless undertook to take care of my mother!

>Pathological tendencies began to show in Fabrikant's character, and it  
>wasn't long before Concordia heard disturbing things about its self  
>proclaimed Soviet refusenik.

I have never claimed to be a refusenik. Refusenik is a person, who was never persecuted, applied for exit visa and was refused one, usually for the reason of security clearance. Not only I was not refused a visa, but I was granted visa in a very short time. I did though claim to be a dissident, since I was fired several times for political reasons. Of course, there were dissidents, who were refuseniks as well, and this is how they became prominent.

>At first his actions appeared simply annoying and could be attributed to  
>the eccentricities of a slightly obsessive professor. For example, after  
>signing up for French classes in 1981, Fabrikant denounced the teacher  
>because she smoked in class. He wrote to the university administration  
>demanding that she be fired.

First of all, it did not happen in 1981, but in 1983; second, I never demanded that the teacher be fired. And, for God's sake, why is it "pathological", "annoying" or "eccentric" to object a teacher smoking in a classroom? Especially, when this teacher invites other students to defy the rules and smoke too? Is not such a teacher pathological? I took the course at various levels since 1980, and there has never been any problem.

I was astonished when I learned that instead of reprimanding the teacher, who broke the fundamental rule, it was I who was fired from the courses. I was though explained by someone that the young teacher was a lover of the Director of Continuing Education Center Potvin, this was why she got the job in the first place, and it was Potvin who fired me from the courses. I have gone to the ombudsman, and I got nowhere there. This is when I came to the Rector, again still no written complaint. I reproduce below the memo sent by the then Rector O'Brien to Vice-Rector Breen, dated May 19, 1983:

Dr. Fabrikant came to see me with the enclosed documents and the following story.

He enrolled in a French course in Continuing Education taught by Mrs. Gravel. He asked the instructor to stop smoking. She refused, and instead puffed all the harder. So did some other students. He went to the coordinator (Mrs. Penney?) to complain, referring to the "No smoking by Resolution of Senate" sign. It would appear that he also criticized the quality of teaching to the Coordinator. The attached correspondence followed. The last letter was handed to him at class.

He went to the Ombudsman, who appears to have sided with Continuing Education. He was told the instructor refused to teach the course with him in it because of his criticisms of the quality of her teaching. He denies having done so to her, but only to the coordinator.

He has not been attending the course since these events, and would see no point in trying to pick up now. He wants one of two things:

1. An apology and retraction from the Continuing Education authorities,

following which he would be prepared to take an equivalent course.

2. Continuing Education to pay his fees for an equivalent course in another institution, since he feels he has a contract which has not been honoured through no fault of his own.

Would you look into this situation, and take whatever action appropriate.  
End of quote. As one can see, I have never requested that the teacher be fired.

This is how the whole story ended. I threatened to sue the university for damages due to expulsion from French courses, and T.S.Sankar decided to act as an intermediary to settle the case out of court. He suggested to have me promoted to Research Associate Professor, and I accepted this compromise.

>But the French incident was only one of many. "He fought with everybody  
>for the smallest, littlest things", Sankar recalled. Soon his reputation  
>for unrelenting fury at people he believed had wronged him spread to  
>other universities. He was clearly fixated.

Well, how many exactly "incidents" did happen? Have no doubt that The Gazette dug out all what they could. In 12 years they have found, in addition to this French courses, the "incident" with Glockner discussed above and the case of printer purchase, which will be discussed further. How many people can claim that they had on average 1 "incident" every 4 years? This is not too much, especially taking into consideration that I was right in all of them. As a matter of principle, when someone sees a bad guy doing bad things, should he confront this bad guy once in four years or not?

>[Swamy, Roytman and Fabrikant] worked on two papers. After the second  
>paper Swamy refused to work with Fabrikant because at the last minute he  
>secretly instructed the publisher to remove Roytman's name [...]  
>Fabrikant never revealed at the time why he pulled Roytman's name.

At the trial, defendant Marsden had to admit that he knew that in my court deposition I "revealed" quite clearly why I "pulled Roytman's name", and Roytman knew full well, why I did it, I did not make it secretly. I told him point-blank at the time, when I did it. Here is an appropriate quote from my court deposition.

Though Swamy has contributed to my salary, he did not pay from his own grant, and, according to T.S. Sankar's guidelines, I did not have to include him in my papers, and I did not, until I fell a victim of a scheme which, I believe, was initiated by Swamy. I was approached by Roytman, former post-doctoral fellow of Swamy, who pretended to be my friend at that time. He knew that I was desperately trying to get away from the situation of being a "scientific prostitute". I needed a regular tenured faculty position, and it was clear that T.S. Sankar (who was chairman of the department at that time) would never offer me one, since this would be the end of his ability to profit from my work. Roytman suggested that I should write a paper and include Dean Swamy as co-author, and he would arrange with Swamy the possibility for me to get a regular position at another Department. I agreed. Roytman arranged a meeting with Swamy, where I and Roytman pretended to discuss scientific problems related to the paper so that inclusion of Swamy as co-author would look justified. The paper was written and published, I did not get the position promised. Roytman told me that more than one paper was needed, so I wrote another one. Nothing happened, so when the paper was already in print, I have excluded Roytman from the list of co-authors. I did not dare to exclude Swamy too.

End of quote.

>Roytman recalled, however, that Fabrikant had once accused him of  
>secretly publishing a paper on which he had done some computer  
>calculations. In fact, the paper was never published.

How can one publish something secretly? The word "publish" means to make something public, which, in principle, precludes secrecy. Yet another nonsense from Roytman. If one is accused of publishing something, this means that the accuser has the publication, otherwise there is no case.

>From 1982 to 1989, Fabrikant published 56 papers. In 37 papers he was the  
>only author. This low level of collaboration is unusual in engineering,  
>where a collaboration of varied expertise is needed and expected, all  
>engineering experts contacted by The Gazette said.

Here I asked Marsden to reveal, how many engineering experts he contacted and who were they. He could name only one and, you guessed it, it was Roytman, of course. I asked him also whether it is possible for one human brain to acquire that "varied expertise" and could it be that my brain had it all? He did not respond.

This is what really happens in scientific publications. If one looks at scientific publications a century ago, one can hardly find even two co-authors of a single article, let alone three or more co-authors. Now, it is quite rare to find a single-authored article. Is it because of collaboration? Not at all. The level of collaboration now is not any more than it was a century ago. The difference is government grants, which did not exist a century ago, and in order to get those grants, one has to have scientific publications. Now, what is the simplest way? If, say, Smith publishes a paper and Jones publishes a paper, each has just one publication, but if Smith includes Jones as co-author and Jones includes Smith as co-author in their respective papers, each has now two publications. Another way to increase the number of publications is to use scientists from developing countries or Russia, who are prepared to act as scientific prostitutes (like myself or Roytman), or to use graduate students. So, when you see a scientific article with two authors, you may be almost sure that one of them really wrote the article, while the other is a scientific pimp (supervisor) who did nothing. When you see three authors, then one of them is the real author, the second is the supervisor, and the third is the Department Chair. More than three authors is an indication of usage of the combined method (supervisor decided to include one of his friends, who, in turn, will include him later on).

>One reviewer criticized Fabrikant['s paper] for claiming that a  
>mathematical technique was original when in fact it had been employed in  
>1881. Another criticized him for including scientific references that  
>were "hopelessly out of date". The problem Fabrikant was claiming to have  
>solved was solved by another researcher in 1961, the reviewer added.

I asked Marsden to give any evidence of the above, and he could not produce any. The whole thing was written to create impression that I have published some kind of scientific garbage. What Marsden failed to inform the readers about, was the fact that every article goes through peer review: usually three reviewer's reports are required by journals; of these three, at least two have to give a positive evaluation to the article. Let us now do a simple arithmetics: in order to publish 56 articles mentioned above, I had to have at least 112 positive reports! And my papers appeared in the top journals in the field.

>These criticisms infuriated Fabrikant and he demanded to know the  
>reviewer's identities. When editors refused to release them he flew into  
>rages.

Again, Marsden could not provide any proof of the above. I knew perfectly well that reviewers' names are protected and never requested them. I did though express my opinion that there is no need for such a protection, and whenever I was reviewing somebody else's article, I always put my name there and wrote to editor that I wanted my name to be communicated to the author in case he had some questions.

>Fabrikant later published two monograph books, which were compilations of  
>his own previously published work.

[...]

>Fabrikant often boasted that his first book, published in 1989, would be  
>a classic. Ditto for his second book, published in 1991.

Majority of scientific books contain the results of the author, usually about 15%. If the author has not made a significant contribution to the field, he should not write a book. My books were 100% my results. Very few people are being able to claim that their contribution to the field was so significant that it can be put in the form of a self-consistent book.

>"His first book didn't disgrace itself" said Kluwer Academic president  
>David Larner [...] "The second one has sold less well, We've still got  
>plenty in our warehouse". Larner rejected Fabrikant's proposal for a  
>third book in 1992.

Publisher is interested in only one thing: profit. The proper people to address are the specialists in the field, as well as availability of the book in the leading universities around the world. This was not done (see more detail on the subject on page 5). My third book was accepted for publication by CRC Press in 1992. I submitted my proposal to Larner for one reason only: since he was the copyright holder of my first two books, I had to give him the right of rejection, after which I was free to negotiate with other publishers, and this is what I did.

>Fabrikant approached several Concordia engineering professors and  
>suggested joint research projects. But when Fabrikant became belligerent  
>and abusive, each of them ended the relationship. His conduct annoyed  
>angered or shocked one colleague after another.

Why on earth would I approach anyone to suggest a joint project, if I wrote all my articles myself, and after 1987 all my articles are single-authored? There is not a single "angered and shocked" name mentioned, because there was none. The passage which follows proves the point:

>In 1982 or 1983, Fabrikant offered to put mechanical engineering  
>professor Richard Cheng's name on two of his scientific papers, even  
>though Cheng made no contribution whatsoever.

>"My response was: 'Look, I made no contribution to these papers. I can't  
>consent to being a co-author. That's wrong.' After that, he stopped  
>coming to my lab," said Cheng, a top robotics expert.

>"Perhaps he really did want to expand into my area and genuinely  
>collaborate with me. Perhaps one of the ways he knew was to offer me  
>something in exchange for something in return," he said.

Even assuming that all above is true, where is the evidence of "abusive and belligerent behavior"? On the contrary, I seem to behave as an obedient scientific prostitute, as I have been for a number of years.

And here is what really happened. I did want to expand into the field of robotics. In order to do so, I needed access to the robotics laboratory,

which was Cheng's. The climate in the Department was such, that if I wanted access to his lab, I had to give him articles, which I did. He lied that he refused. Initially, he accepted them and put his name there (I still have the originals with his handwriting). When T.S.Sankar learned about it, he did not like it: he wanted me for himself only. So, he called Cheng into his office and told him to remove his name, which he did. I did try to come to the lab after that, but I was told that all the equipment was reserved, and none was available for me, while prior to that, everything was available. Cheng had no more integrity than Sankar, but Sankar was Chairman, so Cheng lost.

>The Soviet engineer seemed a friendless loner; the Golods said  
>Fabrikant's life was his work and his family.  
>"As long as he had a chair, his two computers and a work table in the  
>bedroom, he was happy," Inessa Golod said.

Hold it, The Gazette itself called Golods my friends, so, how can I be friendless? My life was indeed my work and my family. Had I been left alone, nobody would be dead, and I would not be in jail.

>Fabrikant continually looked for a full-time research position at other  
>universities without success.

>To help him along, Sankar arranged in 1982 for Fabrikant to obtain an  
>honorary title of research assistant professor after Fabrikant complained  
>that no university would hire him because he was only a research  
>assistant. Sankar did this under protest from Concordia administrators,  
>who complained that Fabrikant behaved so badly he did not deserve it.

I do not believe for a second that Sankar wanted to help me to get a position elsewhere: I was a goose laying golden eggs, and he wanted to keep it that way. I am pretty sure that he blacklisted me everywhere, and this is why I could not get a job anywhere, because otherwise my credentials were quite impressive.

There was no objection to my appointment as Research Assistant Professor. As I mentioned before, as an out-of-court settlement of the incident with smoking teacher, I was promoted to Research Associate Professor in 1983, and the "protest" was about this promotion. The "protest" was just a spectacle to cover-up the fact the the university indirectly admitted wrongdoing. Had Vice-Rector really thought that I did something wrong, he had all the power to block the promotion. They knew very well that the teacher got away with smoking in the class for one reason only: she was a lover of Potvin.

From Cowan's report: "He was just as much a Research Associate Professor in 1983 as he was in 1989. Suggestions to me by University officers that pre-1985 situation was phony or courtesy rank are unworthy."

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&gt;Fabrikant's personnel file at Concordia was ballooning. From 1979 to  
&gt;1988: 28 documents. From 1988 to 1992: 610 documents. Most of them  
&gt;complaints and grievances launched by or against Fabrikant.

I do not have now access to my file, but the figure 610 documents is obviously false, it creates false impression that I have made 300 complaints and other people made 300 complaints against me. The file could be about 500 pages, but not documents, because some of the documents were 50 or more pages long. There was not a single complaint filed against me, and my very first official complaint was filed in November of 1991. The true part though is that I did not bother anyone for 9 years, and that 1988 was the year of drastic changes. In the nutshell, this is what happened in 1988. My contract came up for renewal, and since by that time I stopped including my bosses in my articles as co-authors, my immediate boss S.Sankar tried to extort papers from me, and when I refused, he told me that he would recommend just one year extension of my contract, after which I will be terminated, and this started the whole thing. This is how I described it in my lawsuit which I launched in 1992:

In September of 1985 I have got a research appointment under Actions Structurantes program. My salary was no longer paid from any individual grant, so I thought that I could safely end to "prostitute" myself.

I did not want to do it abruptly, so I still continued to include T.S. Sankar in some of my papers, but majority of them I have published with my sole authorship (Exhibit 2). I hoped that Sankar would understand that I have given him more publications than some people do in their lifetime, and leave me alone. I was wrong. His brother, S. Sankar, who at that time had become my boss, has demonstrated it to me in 1988, when my contract was due for renewal.

He invited me for a talk. He spoke for about 40 minutes about how busy he was with administrative work, then he asked me what would be my "contribution to his group", which, if translated in normal English, would mean: in how many of my future papers I was going to include him. I had no intention to "prostitute myself" again, so I responded that I have made already quite significant contribution (about 30 single-authored papers), and I planned to write a book also. He was not satisfied with the answer, and told me to think about it, and that our conversation will be continued. This was the first (but not last) attempt of extortion. It was clear to me that I have to defend myself, so I have recorded majority of conversations which followed. Several days later, S. Sankar told me, without any justification, that within one year I will be fired. This is an exact quote from Exhibit 3:

S. Sankar: .....So, in the present situation, in order to be fair to you, we will have one more year, I do not want to have, because I have known you, I feel responsible, in the sense of the human nature, and because of that, I am prepared to make a recommendation to the appropriate body, because appropriate body acts on a recommendation, to the appropriate body, that you would have contract for one more year, up to 1989, at which time the position will be terminated. (Fabrikant tries to interrupt) I am talking one thing at a time, let me finish with that, and then we will come to the other aspects. So, at which time it will be terminated, and I also would like you to go and talk to T.S. (T.S. Sankar), before you go and talk to anybody else. After we talk, go and talk to him, and then I cleared in my mind, I spoke to a few other people, because he is an immediate person, who knows you more than anybody else, OK, and then I thought about it, I wanted to make this, I conveyed to T.S. also about it, this is what I would like to have, so, it will be one more year, nothing, no problem, and it will be terminated at the 31 of May, 1989.  
(end of quote)

This was a breach of contract. My contract stipulated that in the case of positive evaluation (and it was positive) I should get a two-year reappointment. I tried to complain to the Chairman Dr. Osman, and he only told me that all this was between me and S. Sankar. I went to Dean Swamy and told him to fix the situation himself, otherwise I would have no choice but to go outside the Faculty. This threat got an immediate effect: next morning I was called by Chairman Osman to his office, and it was a very different Osman, now he was fully involved in my dispute with S. Sankar, and he was completely on my side. I have got the two-year extension of my contract but it was clear to me that the fight was far from over.

End of quote from the lawsuit.

So, The Gazette was well aware of what really happened, it just did not want to tell the truth.

>... in February of 1989, Catherine MacKenzie, an executive assistant to  
>Concordia's rector, had asked him [Haines who is a professional  
>conciliator at Concordia] to hear out Fabrikant. Fabrikant had been  
>making death threats, she said, and may be Haines could find out what his  
>problem was and smooth things over.

Here is how MacKenzie herself described our meeting in her testimony at my trial on June 3, 1993:

Q. So let us start according to chronology. So when we met first, what was the date, what was the purpose of the meeting, and if you could describe the meeting itself, please.

A. The first time that we met was on January the twenty-fourth (24th), nineteen eighty-nine (1989), the purpose of the meeting was to respond to a request that you had made to have a meeting with the acting Vice-Rector, Academic at the time which was Doctor Kenniff. The meeting transpired, and that was a very long time ago, so this is to the best of my recollection, with you making allegations against Tom Sankar along the following lines, that you had allowed him to put your name on his... or his name on your papers for a long time, and that since you had stopped doing that, refused doing that, that you were running into difficulties. That you wanted a tenured position in another department, either in the Faculty of Engineering or in another faculty, and that if you did not receive that position, that you would either go to the lawyers or the newspapers. You then went on, and to the best of my recollection, I believe it was at this meeting, but it may have been at a subsequent meeting, to talk about how disappointed you had been when you came to North America, that you had had great expectations of what you would meet in North America. And that you had come to the conclusion that it was a society, I don't remember the precise words that you used, that did not live up to your expectations. And that you had discovered or learned that the way people in North America got what they wanted was to shoot a lot of people.

End of quote.

It is clear from the above that the only threats I made then was "either go to the lawyers or the newspapers". According to MacKenzie, I mentioned shooting "a lot of people" as one of the things which were so disappointing to me in american society. I have heard in the news, on a regular basis, that someone here and there takes a gun and shoots a lot of people, and it looked bizarre to me: I have lived for 40 years in a much more oppressive society, and I have never heard of a single case of deadly violence at the workplace. And I told her that I could not comprehend, why would people, even if they felt wronged, take justice in their own hands, rather than go to courts, press, police. Little did I know at that time that I effectively was giving the university

administration the means to destroy me.

They had at their disposition the best psychologists and psychiatrists, and they launched a psychological attack on me, which lasted over 3 years, and finally they got me. Their logic was quite simple: I did mention killing people, it meant to them that it was on my mind; I said that I could not comprehend why would people do that when there was free press, courts, etc., - from this they concluded that if they destroyed in me any trust in the media, courts, etc., this would make me kill people; and finally they succeeded, when they found gullible Dr. Hogben, who agreed to blackmail me and threaten my life. I will describe further in detail, how they did it.

Here is what happened during the trial, when I tried to show that I could not have possibly said that killing a lot of people would get one what he wanted, unless what he wanted was life in jail:

VALERY FABRIKANT :

Q. Well, all right. So let us try to understand the meaning of the expression. "In order to get in America what he wanted, is to go and to shoot a lot of people." According to your statement, I wanted whatever, tenured position, promotion, something, correct?

A. Uh, huh.

Q. Now, if you go in and shoot a lot of people, you end up right here, not in tenured position, not in promotion, it's exactly where I am now. But did I...

THE COURT :

Look, just a second. No. This will not work.

End of quote. Corrupt judge does not allow my question.

Here is a part of testimony of M.Habib at my trial (she talks about a meeting they had on June 23, 1992, with the subject: to find proof that Fabrikant threatened a lot of people):

.....

Q. Okay. Did Dr. McKenzie at that meeting, say something: I have direct proof, he told to me that he threatened to kill a lot of people. Did she say something like that?

A. I don't recall that.

Q. Well, but you knew that she knew about it, did you at that time?

BY THE COURT:

You're cross-examining. That last question is disallowed.

End of quote. Pay attention: crooked judge does not allow my question.

.....

Can you imagine the situation: Fabrikant comes to MacKenzie, makes death threats, but refuses to say what the problem is? Just how stupid The Gazette considers its readers? Had I really made death threats, she would have called police, rather than Haines. The Gazette knew perfectly well what really happened. Even assuming that MacKenzie did not tell them the truth, this is what was written on this subject in my lawsuit against T.S.Sankar and M.N.S.Swamy:

In December of 1988 I have asked S. Sankar if he would support my promotion to Research Professor. He promised to help and said that we need to talk. I already knew what this talk would be about, and I was right: he again asked me about my contribution to his group. This time I have answered point-blank that I was not going to include him or anybody else in my work, ever. And of course, I did not get any promotion. This time I have decided to complain to the Rector hoping that he would protect me from extortion. I was wrong again. The Rector refused to talk to me, I could only tell my story to his Assistant, Dr. MacKenzie, but she pretended not to believe me and refused even to ask both Sankars and Swamy whether what I was telling was truth. The material

proof, which I had, was also disregarded.

End of quote from the lawsuit.

Does the above make more sense than what was written in The Gazette?

>Haines met in February of 1989 with Fabrikant four times. Fabrikant  
>claimed he had a gun and intended to kill Concordia rector Patrick  
>Kenniff, engineering dean M.N.S. Swamy, mechanical engineering chairman  
>Sam Osman, Professor T.S. Sankar and several others. Haines duly warned  
>them all. The university hired security to cover their homes and to  
>follow Fabrikant. This lasted several weeks before the guards were  
>pulled off. The police were notified but no formal complaint was lodged.  
>A psychiatrist at the Montreal General, Dr. Warren Steiner, was  
>contacted. He advised that the university should tell Fabrikant to stop  
>threatening violence and to seek professional help. That it did. But  
>nothing else was done.

Imagine the situation: Haines meets with me four times, each time I speak of nothing but my intention to kill a lot of people, without any explanation as to why I wanted to kill them, and instead of calling police all he did was to warn them! When a person threatens to kill people, without any reason, there is a provision to put such a person in Pinel. Look at the testimony of Habib (page 7), where she admitted that there were no facts of my threats to substantiate. How can you reconcile this with the above? The Gazette falsely claims that a warning letter was sent to me in 1989, no letter was sent to me, because there was nothing to write about. Police at the trial testified that they were not contacted either. Here is some more of testimony of M. Habib on June 15, 1993 at my trial:

.....  
Q. Okay. And the Rector himself has never mentioned to you that there was threat on his life?

A. No.

.....  
Q. And at no time when my name came up, at no time he (rector) mentioned that I threatened to kill him?

A. No.

.....  
Q. Okay. Did the Rector at this occasion at least told you that you don't have to go far, "He threatened to kill me, so I'm prepared to write myself." Did he tell you something like that?

THE CROWN:

This is cross-examination, My Lord.

MR. FABRIKANT:

No ...

THE COURT:

Yes, it is. It really is.

End of quote. Pay attention: judge does not let me to ask the question.

.....

>Indeed he was applying the Fabrikant treatment with a broad brush. He  
>abused secretaries, technicians and faculty alike. He called them scum  
>shams, frauds.

.....  
>When secretaries or technicians did not jump at every request, Fabrikant  
>would say: "Excuse me, excuse me, I am putting on my tape-recorder. You  
>are dishonest and lazy. You have probably been bought".

At the trial I again offered to defendant Marsden to withdraw my lawsuit if he can produce one secretary to who I have said what he claimed above. He could not give a single name. Marsden admitted that he did not speak to any secretary, who could confirm the phrases above attributed to me.

I did not need any services of a secretary, because I typed all my documents myself, and I never needed any technician, because all my work was theoretical, so I could not have abused anyone. I did not know the word "sham", so I could not have used it; I did write that every boss is a scum by definition, but I did not call any specific person a scum; I did accuse openly Osman, two Sankars and Swamy of fraud and parasitism, but this happened only in 1992, and I was right.

Even Horwood, the secretary who I shot, could not tell a single case of my "abusive" behavior. This is the text of her testimony:

- Q. How long do you know me?
- A. I think since seventy-nine ('79).
- Q. Since seventy-nine ('79). Do you recall any problems in seventy-nine ('79)?
- A. Well, I used to... you mean problems...?
- Q. Problems between me and you in nineteen seventy-nine (1979).
- A. No, I don't recall any.
- Q. Nineteen eighty (1980)?
- A. Well, it was your manner of speaking. You always spoke with a demand in your voice and an accusation, and you never smiled, and you never... you were not friendly.
- Q. So even in nineteen eighty (1980) I was demanding of you?
- A. Not of me, no.
- Q. Well, we are talking about relation between me and you.
- A. As I say, you were never friendly, and you did not say hello when you approached my office, you didn't say good morning or hello.
- Q. So it looks like you were the only person I didn't say hello, because every witnesses so far testified that I was polite.
- Q. All right. So I never said hello. Besides that, what else?
- A. Well, you spoke in an agreed[angry?] manner, as if everything was going wrong for you, and somehow it was the fault of either me or the chairman or the university, it was a very consistent manner of speaking.
- Q. Well, I couldn't have possibly done it in nineteen eighty (1980), did I?
- A. You always spoke the same way, you never changed.
- Q. So what did I imply may be wrong in nineteen eighty (1980)? Did I complain, anything... could you be more specific? What...
- A. You were never happy, whatever you had. You started as a research associate, you became a research assistant professor, then you became a research associate professor, and then an associate professor in a tenure track, you were never happy, whatever it was.
- .....
- A. Yes, but I had more to do with you when I was the department secretary.
- Q. What did you do with me? Could you just specify...
- A. You submitted your work to be done in your unfriendly manner, and in your unprofessional manner.
- Q. I submitted my work to be done, what work? What is it you're talking about?
- A. Your papers, but we couldn't do them because your equations were so complicated, you eventually ended up doing them yourself.
- Q. Did you type my papers?
- A. No.

End of quote. Remember, I shot her, and maximum what she could tell that I did not smile, was not friendly and unprofessional, but she could not quote any of what The Gazette claims I said.

And here is from the testimony of another secretary:

ROBERT MORRIS, born on February twenty-sixth (26th), nineteen hundred and sixty-nine (1969)

Q. How long have you been working in Mechanical Engineering?

A. I have been involved with the Mechanical Engineering Department since June twenty-fifth (25th), nineteen eighty-six (1986).

.....  
Q. Uh, huh. Was I ever harassing towards you?

A. No.

Q. Did you see me harassing anybody else?

A. No.

Q. Was I polite with you whenever we had any business to do?

A. Yes.

End of quote.

Here is from the testimony of the Dean's office budget officer:

DENISE MAISONNEUVE, born on November twenty-fourth (24th), nineteen hundred and thirty-nine (1939)

.....  
Q. What time did I come to your office with the document?

-A. Between twelve (12:00) and one (1:00). At approximately twelve thirty (12:30).

Q. Did I look any different from usual?

-A. No.

Q. Did I behave in any threatening way?

-A. No.

Q. Was I polite?

-A. Yes.

Q. Was I ever impolite with you?

-A. With me, no.

Q. Did I ever harass you in any way?

A. No.

End of quote. I have questioned almost all secretaries, so one can get a trial transcript from the courthouse and read for more similar quotes.

>In January of 1990, he told Catherine MacKenzie, who by then was >associate vice-rector in charge of security, that "now I know that the >way to get things done is to get a gun and shoot a lot of people." This >statement came several weeks after Marc Lepine murdered 14 women at the >Universite de Montreal.

I did not meet MacKenzie in 1990, I met her a year earlier. I do not make stupid statements as above. Look at her testimony, and testimony of Habib, presented here, which describes a meeting on June 23, 1992, where MacKenzie was present, but did not say a word about my "threat". The purpose of this falsification is clear: to tie me to Lepine.

There is though some startling evidence that the university administration deliberately tried to provoke me into shooting, similar to that made by Lepine. I reproduce below part of the testimony of Mr. Haines at my trial on June 14, 1993. I have noticed in his personal notes a phrase "need another trigger", so I asked him what this phrase meant. This is what he blurted out:

"... what I do remember about the statement, My Lord, is that we were wondering if that was enough of an incident (shooting of 14 female students of Universite de Montreal by Lepine) to cause Dr. Fabrikant to act in what they call a copycat way at Concordia University and Dr. Steiner (psychiatrist from the Montreal General Hospital) had told us, no, it was

not enough, that he had said in fact that he would probably need another type of trigger, I've got "need another trigger", another event that might cause Dr. Fabrikant to overreact and that the only way to find out is eventually to call his bluff and if he was to be denied promotion or review, to do it and not to be intimidated into not doing what the university thinks should be done."

End of quote.

It is obvious from the above that Haines had a meeting with a psychiatrist, Dr. Steiner, and asked whether the mere fact of shooting at Universite de Montreal can trigger me into doing the same thing at Concordia. Dr. Steiner responded that I would not go shooting people out of blue, that I "need a special trigger" to "overreact" (means: to start shooting), and that the only way to find out whether they can indeed trigger me into shooting is to deny me promotion or contract renewal. His logic was very simple: the more outrageous is the action, the greater is the probability that I would "overreact". And this is exactly what the university administration started doing at every possible occasion. The first one was my promotion to the position of Research Professor. I was recommended for promotion by the Department, and I received a glowing recommendation for promotion from the faculty. When all these recommendations arrived at the Vice-Rector's office, she did the most shocking thing imaginable: I was never promoted, and I was not refused, she just ignored all the documents. The purpose was to make me call her office to ask questions about my promotion, to give me some stupid responses, like, "she is working on it" or "she is looking into it", hoping that I would "overreact", which I did not. I shall describe other provocative actions of the university administration further on.

>He went after Concordia's purchasing manager, Mike Stefano, when Stefano  
>demanded Fabrikant to pay \$8,401 laser printer he ordered.

>"I believe you are aware of the Pentagon scandal brewing in Washington,"  
>Fabrikant told him. "I am not interested in starting a similar scandal  
>in our university, but if the harassment does not stop, I shall have no  
>choice but to go public."

>The printer dispute lasted seven months, during which the supplier cut  
>off credit to the university and refused to service its other printers.  
>At one point, a defeated Stefano wrote to Fabrikant's boss, Sam Osman:  
>"I'm afraid I've had more than enough. When the (supplier) agreed to  
>install the unit at no charge, (Fabrikant) countered with a demand of  
>one-year warranty. He told me he would pay the bill if you told him to.  
>He then told you he'd pay the bill if the rector told him to. It appears  
>that he will continue to escalate his demands at every opportunity."  
>Fabrikant eventually paid the bill, but only after the university agreed  
>to finance an extended warranty.

I intentionally quoted the description of the incident in full. Pay attention that The Gazette replaced the name of supplier in Stefano's letter by the word "supplier", clearly, they did not want the public to know that name. It was Ahearn and Soper. This is what really happened. I have ordered a printer, to be paid by taxpayer's money and to be considered a university property. I have ordered it from Ahearn and Soper, with which the university had business in millions of dollars every year. After I did it, I looked around and discovered that competitors had much better deals: cheaper printers, free installation and one-year warranty. Ahearn and Soper wanted additional payment for installation and had only 90 days warranty. Since I learned this when the printer was already ordered, I could do nothing to change it, but then Ahearn and Soper did not deliver the printer on the date promised. This was a breach of agreement, and I have informed them about cancellation of the purchase order. They ignored my cancellation and delivered printer several days late. I refused to accept it, unless they at least match the

competition: give free installation and one-year warranty. I naively thought that the university will support and praise me for my care in spending taxpayer's money. I was wrong.

Osman and Associate Dean Fancott had exerted a lot of pressure on me to pay the bill. I was amazed: I showed them cheaper prices and longer warranties, and they were not interested. It was clear to me, someone was getting hefty kick-backs on all these purchases. At that time in the news there was a scandal with Pentagon buying toilet seats at \$500 a piece, which looked to me analogous to the situation at the university, and I mentioned this in my letter to Stefano.

In order to exert pressure on me, they made a spectacle of Ahearn and Soper cutting off credit and refusing to service university printers. I went into the computer lab and checked all printers: there was none broken and waiting service. Can you imagine a situation: Ahearn and Soper was doing business worth millions of dollars with the university every year, - would they dare to cut off such a client and refuse to service his printers, knowing full well, that the university could take its business elsewhere? And all this just for mere \$8,000, which was a drop in a bucket? Obviously these sanctions were introduced in full agreement with the university to exert pressure on me. They did not succeed, and the fact that university agreed to pay for extended warranty is the best proof that I was right in the first place: someone was getting kick-backs.

>Mid-January 1990, and a full moon gave Rose Sheinin an uncomfortable  
>chill. It was, she recalled, a time for weirdness. And that meant  
>Valery Fabrikant.

>Fabrikant was desperate for a permanent job at the university. And part  
>of Sheinin's job as vice-rector was to oversee all faculty hiring. So  
>Fabrikant targeted her.

>His first move was to send an emissary to Sheinin. His name was Grendon  
>Haines, and this point he was dealing with Fabrikant on and off for a  
>year.

.....

>So it was that in January 1990, Haines ... walked into Sheinin's office  
>with a message from Fabrikant:  
>"If you don't do what I tell you to do, you are going to get the same  
>treatment as everybody else."

And here is what really happened. In December of 1989, I have received a contract renewal, signed by Sheinin, which did not stipulate in sufficient detail the promised transformation of my position into a tenure-track position. I was not desperate for anything: my 1985 contract stated it quite clearly that by 1990, provided that my evaluations were good, and they were, I should be appointed to a tenure-track position, so my position was guaranteed in writing back in 1985. The wording of 1989 renewal looked to me suspicious, and since in 1988 S.Sankar made an attempt to have me fired, I asked Vice-Rector Sheinin to clarify certain points of my contract renewal. She did not respond for over a month. So, I called Haines, whose office was in the same corridor with her and asked him to inform Sheinin, since she was new at the university, of what happened to me in 1988 (attempt to have me fired), so that she would understand better, why I was asking my questions, and to ask her to respond to my letter, sent to her over a month ago. Is there anything weird in this?

And here is a quote from the Haines's testimony at my trial, when I asked him about the meeting with Sheinin, following my phone call to him:

Q. Yes. What was the purpose of that meeting?

A. The purpose of the meeting was the following: one, Dr. Fabrikant had contacted me prior to January 17th but a few days or that day or a couple of days before saying that he had sent a letter to Dr. Sheinin and he had not had a response and he wanted me to intervene, to see if I could get a response for him.

.....

Q. Did you, in January, convey to vice-rector some threat from me?

A. No, My Lord.

End of quote.

I do not believe that Sheinin would lie to The Gazette that I had sent her a stupid message:

>"If you don't do what I tell you to do, you are going to get the same >treatment as everybody else."

The reason for such belief is the fact, that when I requested at the trial that defendant Marsden produce the transcript of his interview with Sheinin, he could not find it. I do not believe that Haines would lie to The Gazette after testifying under oath to the contrary (see above). This means that The Gazette has chosen to lie, as usual.

>At the time, Fabrikant was 50, had a wife and two children and Concordia >was the only place where he had his foot in the door.

>However, no full-time positions had opened at Concordia. Since 1979, >Fabrikant had depended mostly on money from research grants - what >universities call "soft money".

>In 1990, however, the Quebec Education Department considered transforming >a temporary research program called Actions Structurantes into permanent >faculty positions, allowing Concordia to hire three more engineering >professors. Fabrikant desperately wanted one of those jobs.

As I mentioned before, I was involved with Actions Structurantes program since 1985, and it was written in my 1985 contract, black on white, that in 1990 my position would be reintegrated in a tenure-track position (The Gazette confuses term "tenure-track" with "full time" - I have always been full-time employee). The same was promised to two other researchers, this is why three positions opened in 1990, and one of them was rightfully mine, and at the beginning, I had no reason to be desperate, I thought that Concordia University would respect its own contract.

>He already had begged mechanical engineering chairman Osman for the job. >Occasionally, he brought his 4-year-old daughter to Osman's office while >he negotiated contract renewals.

>Osman recalled Fabrikant pleading: "I have a family and I am not going to >let my children starve. If I don't get the reappointment, I am going to >solve it the American way." He then gestured as if he were firing a >machine gun. Osman said he didn't take him seriously.

I repeat, I did not have to beg anyone, the position was rightfully mine. I have always brought with me not just my daughter, but my son as well, every Saturday and Sunday, since I worked seven days a week. I did it, first of all, because they wanted to, second, because I wanted to, and third, because my wife needed a break. I do not recall though neither Osman being in the Department during week-ends, nor bringing my daughter to the university during a week-day. I did bring my daughter, but it was in 1992, to the rector's

office, when I submitted my recommendation to transport restricted firearm for his signature. I understood that in the circumstances of that time, my submission might be interpreted as a veiled threat, so I brought my daughter as a message: "I am not threatening anyone, but I have small children, who need me, so I need to protect myself." I guess, The Gazette, in its usual manner, took the fact, that I did bring my daughter somewhere, and distorted it the way it pleased the yellow journalists.

In 1990, it was not "reappointment", which I needed, (I had my reappointment contract running until 1992) but reintegration into a tenure-track (leading to tenure - permanence) position, which was promised to me. Close to September 1990, I became worried, as to why reintegration was still not done, and I did tell Osman, that he better respect my contract, and if he did not, I would have no choice, but to blow whistle on them. He had a lot to loose: I have seen his grant applications for 1986 and 1989, and I have found that he made them by "cut and paste" method, significant parts were just repeated, which made at least one of his applications fraudulent.

I did mention "the American way", but in the same negative connotation, as I did in conversation with MacKenzie, namely, I told Osman that I could not shoot people, like americans do, so my only redress would be to blow whistle on them.

>Still, Osman promised Fabrikant his support for a faculty position but  
>refused to show him his official letter of recommendation because it  
>would violate regulations.

There was no regulation preventing Osman from showing me his recommendation. On the contrary, according to the Privacy Act, I had the legal right to see this document. Osman did not show it to me, because he wanted to play on my nerves. By the end of September, yet another document was leaked to me from the Ministry of Higher Education, it was the university decision to re-integrate the other two researchers, and about me, it was said that the university was not sure whether to reintegrate me in a tenure-track position. I understood it as result of Osman's negative recommendation, and this is why I insisted on seeing it. During the trial, S.Sankar testified that he originally prepared the document to be sent to the Ministry, which recommended me for re-integration, as the other two, and that it was changed, without his consent during translation from English to French. I do not buy this story: I do not believe that Sheinin would do such a thing, without S.Sankar's consent.

>That wasn't good enough for Fabrikant. He wanted it in writing - and he  
>wanted it now.

The reintegration was to be effective not later than June 1, 1990, and by September the Department did not even bother to submit its recommendation, so it was far cry from me wanting it "here and now", it was long overdue.

>And he felt Sheinin was blocking his way. Fabrikant began calling her  
>daily to make his demands. He hung around her office. Sheinin's staff  
>recalled that he'd walk through her suite of offices, palming door knobs,  
>opening cupboards and drawers. He'd ask, "Is this a door? Does it lead  
>anywhere?"

The Gazette must consider its readers as complete idiots. Can you imagine anyone entering someone's office and start opening drawers? You would call security right away and bar this person from ever entering again. According to the above, I seem to have done it several times. All means are good for The Gazette to present me insane.

I did make several phone calls to Sheinin's office, but those calls were not

about reintegration, but about my promotion. Each time I heard the answer that she "was working on it". The secretary would tell me to call later, and I did and receive the same answer. Little did I understand at that time that it was a part of the plot to provoke me into violence.

>In slightly menacing monotones, he would ask secretaries about Sheinin's >health. "Is Dr.Sheinin OK? How do you know if you do not know where she >is?"

Again nonsense to present me insane. Here is a part of testimony of MUNIT MERID, secretary, vice-rector's office, July 9, 1993:

Q. Okay. From July nineteen ninety (1990) on, did you transfer to Vice-Rector any threats from me?

A. I don't remember.

Q. You might have?

A. I don't know.

Q. Is a threat from professor to Vice-Rector such an ordinary thing that you might not remember that?

A. I'm not sure...

Me JEAN LECOURE :

This is cross-examination, My Lord.

THE COURT :

Yes, it is.

End of quote. Pay attention: both Crown and the judge stop me immediately when they see the witness' lie is to be exposed.

And here is yet another quote from testimony on June 15, 1993 by ANGELA WILSON WRIGHT Assistant to the Vice Rector Academic, date of birth October 22, 1958:

Q. Did I ever threaten you personally?

A. No.

.....

Q. Well, to who did I make those threats then?

A. I'm afraid I don't know.

End of quote.

>After enduring Fabrikant's unrelenting treatment for nine months, Sheinin >arrived home one evening in October to find a message from Fabrikant on >her answering machine. In his distinctive atonal drone, he stated "You >know who I am and you know what is going to happen."

>That was it. Sheinin wrote to Fabrikant on Oct. 18, 1990, warning that >she would call police unless he stopped his harassment. She did not hear >from him directly again until the fall of 1991.

Pay attention: I do not do anything like normal people: the phrases I pronounce do not make sense, and my manner of speaking is not normal either: I speak in "atonal drone"! The funny thing though is that in another article I harassed everybody by "nasty whispered phone calls" (The Gazette, defendant Adolph, August 25, 1992). What happened to my "atonal drone"?

I reproduce below the complete text of the Sheinin's letter of Oct. 18, 1990:

"This letter comes after a meeting with John Relton, code administrator of Concordia University. I discovered with him the options available to me as vice-rector, academic, to deal with your behavior with respect to me and the members of my immediate staff. This behavior began last January and has con-

tinued on and off throughout these many months.

I therefore believe at this point that it is necessary to establish a working relationship so that we both are completely clear as to what is expected and what is acceptable.

I consider that your many and continued telephone calls to the various members of my office border on harassment to them and me. Specifically the frequency of these telephone calls, the tone which you use, your warnings that you intend to tape-record the conversations, etc. are totally unacceptable.

The veiled threats conveyed through my staff and through Mr. Grendon Haines must stop immediately.

I must emphasize that I consider such behavior unacceptable and indicate that it will no longer be tolerated."

End of quote.

Here is a quote from testimony of M.Habib (June 15, 1993), who was the Vice-Rector's Assistant in 1989-90:

Q. Did I personally threaten you at any time?

A. No.

Q. Did you ever feel scared of me?

A. No.

Q. Did you transfer to Vice-Rector, Academic, any threats emanating from me... direct or veiled threats, or anything which might be interpreted as a threat?

A. No, I do not repeat that kind of statement, or make any interpretation of it.

Q. I didn't get the answer.

A. I said no.

End of quote.

And here is the testimony of G.Haines (June 10-14, 1993):

Q. Did you, in January, convey to vice-rector some threat from me?

A. No, My Lord.

.....

Q. Right. Did I ... did I threaten vice-rector in any way in your presence?

A. I do not know of any time when you threatened the vice-rector, academic, Rose Sheinin.

Q. All right. Then now, let's go to the document which states that "veiled threats conveyed through my staff and through Mr. Grendon Haines must stop immediately". If you admit yourself that I didn't make any threats, why Sheinin ... what ground did she have to write to me about...

BY THE COURT:

You have to put that question to her.

.....

Q. OK, returning back a little bit, could you elaborate: "To give clear notice about his behavior and consequences", did I do anything at that time which I should be warned about?

A. From the moment I spoke to you, I think on January 23rd 1990, until this moment of November 1st, I'm not aware of any veiled threats or new threats that you have made, that you had made.

End of quote. Pay attention: corrupt judge tries to interrupt me. As one can see, none of the witnesses confirmed any threats (veiled or otherwise), and I do not believe that Sheinin would lie to The Gazette about the contents of the message I left on her answering machine, because I did leave a message on her

answering machine, but not the idiotic one quoted by The Gazette. I first presented myself, then I said that it was time of atonement (Yom Kippur), and I suggested that we meet and discussed in a civilized manner whatever disagreement existed. It was a polite and reasonable message.

And here is a description of what really happened in October-November 1990. I was becoming increasingly worried about my reintegration, which was delayed beyond reason. I still had contract until 1992, but a new collective agreement, which was about to be signed, contained two articles which were to jeopardize my contract and my reintegration into tenure-track position. I had no doubt that the Faculty Association, which was to protect me, instead colluded with administration by inclusion of these articles in the new collective agreement.

I tried to hire a lawyer to protect my rights, and I learned a hard lesson: they were interested in milking me for money, none did anything useful. They saw my desperation and used it mercilessly. Lawyer J.V. Marchessault, Queen's Counsel (!) [615 Boul. Rene-Levesque, #820, Montreal, Quebec H3B 1P5 Tel. (514)-866-2995; file 12197] told me that he needed to send his assistant to Ontario to study legal jurisprudence, he claimed there was none in Quebec, and I was supposed to pay the expenses. I understood perfectly well, that he was lying, but I was so desperate, that gave him \$500. When I tried to get away from him, he refused to give me back my documents, so I had to file a complaint with Quebec Bar just in order to get my documents back. Then I went to prominent lawyer Julius Grey, who promised everything, but milked me for about \$700, without doing anything useful. I was a nervous wreck at that time - total lawlessness everywhere. I lost my sleep, I felt that I was deliberately and maliciously tortured mentally, and there was nothing I could do about it.

I understood that Sankars and Swamy were concerned to give me a tenure-track position, since I could get tenure, and after that blow whistle on them, as I threatened in the past. On the other hand, they understood that if they fire me, I most certainly blow whistle on them. So, I decided to see Haines and to find out whether anything can be done with his help as a mediator. He told me that the only way for me to stay at the university was to say that I was very sorry and that I was ready to ask for professional help, effectively admitting that I was insane. I had nothing to be sorry about, and I did not feel being insane, but I was so desperate and so worried for my family, that I would agree to anything, as long as it meant that I could provide for my family. He wrote it all down, and then called on the phone to Sheinin's office and read it all to her secretary, emphasizing that I was standing by and agreeing with all what was said. This is Haines' own testimony of our meeting on October 3, 1990:

One was that you were sorry for all the commotion that had been caused in the past and you regretted that. You said that you had made mistakes and those mistakes though were made because of all the problems that you had experienced at the university, people abusing you, people taking advantage of you, people treating you as if - and you used this word - as if you were a prostitute. However you regretted and you apologized to me and you wanted that apology to go to the vice-rector, academic.

.....

Possible message that I could deliver to V. Fabrikant on behalf of Dr. Sheinin:

1. If you are willing to get help, Dr. Sheinin is willing to work with you. She needs to know how you are going to do that.
2. There is a list of three (3) possible referrals. You must be willing to do something. If you are not, then she is not.

3. What needs to be reported back: who you are seeing, your schedule and any change to that schedule. We are not asking anything beyond that. We need to know with whom you are meeting and with what frequency.

My Lord.

Q. So what happened to that document? Was it delivered to somebody, was it discussed with somebody?

A. I met with Dr. Sheinin and presented this to her, My Lord.

Q. And?

A. And she heard my ... what Dr. ... the paraphrase of my conversation I had with Dr. Fabrikant and these three possible suggestions that I was making to her and her answer was no.

End of quote. As one can see from above, even my readiness to say that I was insane and need "professional help" was not enough for Sheinin: she was to destroy me, though I never wronged her in any way.

>Fabrikant also began secretly taping conversations with his colleagues, >hoping to entrap them into making embarrassing statements about their >peers.

The Gazette fails to inform readers why I did it. I started taping as self-defence, when I saw that Sankar tried to have me fired, because I refused to put his name as a co-author in my articles.

>Despite his threats and abusive behavior the engineering department >promoted Fabrikant on June 1, 1990, to research professor.

If all this were truth, then the department should be placed in insane asylum: promoting an abusive and threatening man, who, in addition, knew nothing about mechanical engineering, is insane.

>It was one step removed from a full-time faculty position.

Nonsense. I have always been full-time faculty. If The Gazette means tenure-track position, then the promotion had nothing to do with this: I could be placed on tenure-track without promotion, and I could never get tenure, despite promotion.

>Fabrikant had been teaching the odd class on and off since 1984. In >their evaluations, students, the department personnel and faculty >committees cited his high quality research, his book publication, his >good teaching performance and the fact that he had already been a >professor at the Polytechnic Institute in Ulyanovsk, USSR.

>What faculty members didn't know was that Fabrikant lied on his resume.

>He claimed that from 1970 to 1973 he was a professor at the institute in >Ulyanovsk. In fact, institute records show he was only instructor from >1970 to 1972. He was then promoted to assistant professor. And in 1973 >he was fired for abusive behavior.

Pay attention: there is nothing I do which would be normal: if I am teaching a class, the class is "odd". As usual, The Gazette lies: I was teaching not since 1984, but practically immediately after arrival: since 1980. They also failed to inform readers that my first teaching experience goes back to 1963.

At the trial, defendant Marsden admitted that he never visited Ulyanovsk and could not see the "institute records". I repeat from page 1:

Even Cowan, who can not be accused of any kind of sympathy towards me, had to admit in his report (Page 25):

In fact, much has since been written about Dr. Fabrikant falsifying elements

of various CV's over the years. I have compared them, and the differences are largely explicable, if one examines the differences in academic ranks and degree granting systems between North America and the former USSR. Thus his "upgrading" of his USSR academic ranks and subsuming of "Mechanical Engineering" within his degrees in Mechanics and Applied Mathematics in post-1983 CV's are not uncommon reinterpretations made by such emigres once they fully understood Canadian equivalencies, according to a number of them I consulted.

Now, assume for the sake of argument, that I was a nobody back in the USSR, what does it change? I had been at Concordia University for ten years then, and I was recommended for promotion on the basis of the work which I performed at Concordia University. The procedure of promotion required also that 7 specialists in the field from other universities outside Canada, who were Full professors in their universities, recommended me for promotion. I have provided 10 references. Each had, in addition to giving an evaluation of my work, to answer a specific question, whether I would deserve to be a Full Professor at their respective universities. Each answered positively. This is the text of recommendation:

After a careful study and discussion of the information and opinions on file, this Committee has unanimously agreed to recommend that Research Associate Professor V. I. Fabrikant be promoted to the rank of Research Professor, effective June 1st, 1990.

Prior to joining Concordia University in 1979, Dr. Fabrikant was already a Professor at the Polytechnic Institute, Ulyanovsk, USSR. While he was already an accomplished researcher at that time, the work which he has completed at Concordia has earned him an international reputation. This is confirmed by the letters received from outside referees, from which we quote below.

"Dr. Fabrikant is a well known authority in analytic modeling in fracture mechanics. He is one of the most prolific researchers and can be considered to be one of the top ten international researchers in this area."

"His work is very well recognized and respected by researchers working in this area of the theory of elasticity all around the world."

"Dr. Fabrikant is a well-established scientist with an international reputation. His research record is very strong and goes back over 20 years. (...) The scope of his research is astounding. (...) His solutions are both simple and remarkably accurate."

"Even before his immigration to Canada, he already had an outstanding record. (...) Since his arrival to the West, he has progressed immensely. (...) He has successfully done fully independent and innovative research; he is also characterized by successful cooperation with his colleagues."

"Dr. Fabrikant's scholarly contributions are of considerable practical interest."

In addition to many publications in reputable journals, Dr. Fabrikant has also contributed one chapter to "Advances in Applied Mechanics", published by the Academic Press, Inc., and has written a book entitled "Applications of Potential Theory in Mechanics", published by Kluwer Academic Publishers.

His NSERC operating grant amounts to \$63,840 over three years.

He is also a member of groups which were awarded a major equipment grant from NSERC, a team grant from FCAR, and a University-Industry interaction grant from Quebec's Ministere de l'Enseignement superior et de la Science.

In order to let our students profit from his knowledge and experience and also to confirm his ability as a teacher, Dr. Fabrikant has regularly taught at least one course per term, including first-level undergraduate courses. The information on file indicates that his teaching performance is very good. He has successfully supervised one Master's student to completion. Currently, two doctoral students and one Master's are under his supervision.

The confidential letters solicited from external referees give the following comments regarding Dr. Fabrikant's suitability for promotion to the rank of Research Professor.

"In terms of both quantity and quality of his work, I recommend very strongly that Fabrikant be promoted to Research Professor".

"He is well qualified to be promoted to the rank of Full Professor at (our) University."

"I would unhesitatingly recommend him for promotion to the position of Research Professor."

"I strongly recommend Dr. V. Fabrikant for promotion to full professorship."

I have been on the Promotion and Tenure Committee of (...), both on the Faculty and University levels and I can say without hesitation that a person of Dr. Fabrikant's stature and outstanding accomplishments would have been promoted to full Professorship with tenure."

"I would be happy to have him as full professor at my department."

"I feel that the research productivity of Dr. Fabrikant is at a high level to qualify him for the rank of Full Professor."

"I am surprised that he does not hold the rank of Professor, considering his immense research production and the wide range of fields in which he works."

The Faculty Personnel Committee therefore concluded that Dr. Fabrikant has fully satisfied the requirements for promotion to the rank of Research Professor.

End of quote.

>He also lied when he said in his resume that his doctorate degree was in  
>mechanical engineering, which deals with machines and the production of  
>power. His Russian scholastic records show it was in mechanics, a  
>different field that is the basis of physics and astronomy.

At the trial, defendant Marsden admitted, that he did not ask my thesis supervisor what the field of my dissertation was. He also produced in court my scholastic record which shows that my degree was (I give exact translation) Candidate of Technical Sciences, subfield Dynamics and Strength of Machines. Far cry from Physics and Astronomy. This means that The Gazette deliberately lied to the readers. My thesis supervisor was V.V.Bolotin, Russia "foremost

engineer", how could he supervise "physics and astronomy"? There is no way one can lie about the field of his knowledge: it becomes obvious from any scientific publication of his. One can not claim to be a poet, if he has not published a single poem, and one can not claim to be a specialist in mechanical engineering if he does not have publications in this field.

>In addition, his teaching record was not spotless. He received, for >instance, a bad student evaluation for a course he taught in statistics >and probability theory at Concordia. But Osman had erased the evaluation >from Fabrikant's record because it could damage his future prospects.

>"I asked the previous chairman about it and he suggested that maybe it >was because Fabrikant's English wasn't good," Osman recalled. "So I took >it out of his file. Somehow I bought it. But I remember thinking that >you don't need to speak much English in statistics. It's mostly math."

>Osman said he thought he was doing a fellow immigrant a favor.

Students' evaluations are done close to the course end and prior to exams, they are all anonymous and confidential. Students are asked 20 questions about the professor's performance, like, was the professor well prepared, were his explanations clear, etc.; the answers could be 1 - excellent, 2 - very good, 3 - good, 4 - poor, 5 - inadequate. Not only I have never had a poor evaluation, I have never had "good", all my evaluations were above "good". For example, in my 1982 evaluation of probability and statistics (if this is the one Osman was talking about), the worst grade is 2.6 (between "very good" and "good") and the best is 1.4 (between "excellent" and "very good"). My evaluations were steadily improving. In my 1991 evaluation the worst grade was 2.0 and the best was 1.1, and on average I was in the top 15% of all professors.

Osman lied about destroying my "poor evaluation" for a very simple reason: if he produced it, it would be obvious that it was not poor at all. By the way, all evaluations were administered by the Learning Development Office, so Osman could have asked them to give him a copy of the destroyed evaluation.

Pay attention: "previous chairman" was T.S.Sankar, he knew perfectly well whether my English was good or not.

>Also, aside from the course for which he got poor rating, none of >Fabrikant's other courses truly tested his teaching skills, Osman >admitted. He taught only elementary courses in statics and dynamics. >"Somebody in CEGEP could teach these courses," Osman said.

Let us see. Take, for example, the course of probability and statistics. It was not a mechanical engineering course, but rather mathematical course, and I am not a mathematician. The course was totally outside my field of expertise. I agreed to teach it for one reason only: I have just arrived in a new country, and I wanted to show that I can teach satisfactorily a course, which I never taught before and which was totally outside my field, and I did show. Now, is a good teaching of a course outside one's field a good test for one's teaching skill?

Now take dynamics. Osman knew perfectly well that the university dynamics is very different from CEGEP dynamics. One illustration: passing grade in dynamics was 44 out of 100! Even with such lowered requirement, about half of the students failed their exams. Dynamics is the most fundamental and one of the most difficult courses in the whole mechanical engineering curricula.

>Based on his previous evaluations, in September 1990 the department >personnel committee recommended Fabrikant be hired as a full-time tenured

>associate professor.

False: I was recommended for a tenure-track (leading to tenure) position and not for a tenured position.

>But Rose Sheinin opposed his appointment. She felt that Fabrikant's >personality was wrong for Concordia. She worried about >the death threats he had sprayed around campus. She disliked him >personally. Nor was she impressed by his credentials. She knew how >professors can milk one idea to get tank full of publications. And she >knew that classes can easily be manipulated to get a good evaluation.

Can you imagine, Sheinin, who is not a specialist in mechanical engineering, knew better the value of my credentials than those in the field! Now, if a professor can milk just one idea for a "tank full of publications", what a marvelous idea that should be! By the way, Einstein all his life milked just one idea - theory of relativity, does this make him less great? (I do NOT compare myself with Einstein!)

And if it was really so easy to manipulate class, we would not have professors with poor evaluations. Remember, I allegedly had a poor evaluation? If it is so easy to manipulate a class, why did not I do it then?

Sheinin decided she would try to persuade the mechanical engineering committee members to reverse their recommendation. Disturbed by Fabrikant's behavior, she had consulted psychologists to ask whether he posed a threat to the university community.

This is the place to tell us what the psychologists told her. I guess, correct answer is: anyone could become dangerous if you mistreat him in a sufficiently outrageous manner. Each human being has a limit, beyond which he either commits suicide or kills somebody else.

>She invited committee members to lunch at the Montreal Amateur Athletic >Association. The meeting lasted three hours.

>"She thought we were nuts recommending this guy," Osman said. "She said >psychologists told her he (Fabrikant) would never fit in." Sheinin >insisted that the committee reverse its recommendation. But Osman >refused, saying that Fabrikant was basically a "hail fellow well met" and >behaved badly only when he saw a threat to his status as a full-time >faculty member.

>Osman believed that "settling Fabrikant's contract problems will bring >out the best in him."

>Secretly, Osman admitted later, he "would have been relieved if Sheinin >had refused recommendation." ... "We wanted her to go and exercise her >right (to refuse appointment)," Osman said.

>But Sheinin did not want to take the responsibility. Fueled by his >publications and teaching evaluations, the Fabrikant tenure train had >gathered too much speed. So, against her own better judgment she >approved it. But not before she wrote the following note to Concordia >rector Patrick Kenniff: "My own assessment is that whatever problems we >have been presented with by Dr. Fabrikant, will continue. ... My gut >feelings tells me that he should not be taken on to the full-time faculty >at Concordia University. If I approve the appointment, it will therefore >be as a rubber stamp."

What really happened was that department crooks and Dean Swamy understood that

if they fire me then I most certainly would blow whistle on them, and I did assure them that if they keep me, I would have certainly no reason to do so. This is why they did not want to change their recommendation, but wanted Sheinin to "exercise her right".

In the summer of 1992 I finally got hold of that letter using the Access to Information Act. Originally I was refused access to the file called FABRIKANT CONFIDENTIAL. I reproduce below abbreviated version of one E-mail message distributed by me in summer of 1992, where I present complete text of the above mentioned letter from Sheinin to Kenniff with my comments:

Vice-Rector Sheinin writes:

"The enclosed recommendation with respect to Dr. Fabrikant has arrived in my office. It was initially delayed pending a luncheon meeting with myself and the following individuals: Dr. M.N.S. Swamy; Dr. M.O.M. Osman; Dr. S. Sankar; Dr. S. Hoa; Dr. S. Lin; Mr. J. Relton; Ms. N. Torbit and (name deleted)(at the trial I learned that the deleted name was Dr.Steiner)".

Picture it: Montreal, 1989, I have published my first book, I have received the University Merit Award; picture it again: Montreal, 1990, the Department of Mechanical Engineering (Osman) in January, and the Faculty (Swamy) in April, both had recommended my promotion to Research Professor (which, according to Collective Agreement, is equivalent to Full Professor), and in November, the same individuals meet with Vice-Rector (I still do not know what Relton, Torbit and the incognito were doing at that meeting) to decide whether I should be FIRED, is not this funny? Is it natural to ask what happened between April and November of 1990? Vice-Rector Sheinin should explain this to me and the community.

Vice-Rector Sheinin writes:

"The discussion which lasted three hours was circuitous, exhausting, often spirally on and off topic."

The word "circuitous" means indirect, round-about. Well, why was the discussion "circuitous"? Very simple: because these people could not say DIRECTLY what was on their mind. The direct talk would look like this: "We, dishonest and dishonorable people, are very frightened by the perspective that Fabrikant gets his tenure, and after that would blow whistle on us. So, we do not know what to do now, if we fire him now, he will definitely blow the whistle, and if we do not, God knows what he (Fabrikant) would do in the future". Of course, they could not talk like this, they had to play comedy with each other too, and this is why the rest of the Memo is also "circuitous".

Vice-Rector Sheinin writes:

"The following emerged:

1. All members of faculty were adamant that Dr. Fabrikant was an asset to their respective units, and to themselves as individuals - although none of them wanted to work with or near him."

This is total absurd: how can I be an asset to anyone "as individual" if this individual does not want to work "with or near" me? Why does not the individual want work near me? Because he is afraid that this way I might discover his dirty little secrets, and blow the whistle. An honest person, who has nothing to hide, would not be afraid to work near me.

Vice-Rector Sheinin writes:

" 2. They were all agreed that he should be appointed as a full-time member of faculty."

First of all, "were agreed" is passive voice which is not applicable here, she probably wanted to say "They all agreed". Here is the exact translation of the Vice-Rector's "circuitous" English into a normal one:

" 2. They all agreed that if Fabrikant is fired, he will definitely blow the whistle, and since we are throat deep in fraud, it is more prudent to give him tenure-track appointment, but to delay his tenure consideration for three years."

Correctness of this translation is supported by the events of 1991, when the same "adamant" people unanimously recommended that I be fired. How did it happen that I was no longer "an asset to their respective units ....."? Very simple: in October of 1991 I have requested access to my file, and LA COSA NOSTRA - CONCORDIA has immediately decided that I am about to blow whistle. They were wrong, but their stupid panic actions convinced me that I should do what any honest person should do, and I am very proud of what I did.

Vice-Rector Sheinin writes:

" 3. Dr. Osman insisted that Dr. Fabrikant was "hail fellow - well met", until he perceived his status as a full-time faculty member at Concordia University was threatened in any way; at which point he engaged in unacceptable behavior."

To extort papers from Fabrikant is an acceptable behavior, to try to fire Fabrikant if he does not submit to the extortion is an acceptable behavior, but if Fabrikant goes and complains to the Rector (as I did in 1989), and demands the extortion to stop, and, God forbid, threatens to go public if this harassment does not stop, this is, indeed, an UNACCEPTABLE behavior.

Vice-Rector Sheinin writes:

" 4. Dean Swamy reserved judgement(sic!) on his recommendation as the final step in the process is at the Faculty level."

By the way, the dictionary spells "judgment" rather than "judgement". Vice-Rector Sheinin has between the numerous abbreviations following her name a Doctorate in Letters, and she must be very good in letters, but not yet in words, let alone sentences. In one of my writings she corrected my word "dialog" as "dialogue", she does not seem to know that both spellings are considered correct.

Vice-Rector Sheinin writes:

" 5. Should Dean Swamy gainsay the recommendation for appointment, his decision would be challenged and grieved by Dr. Osman."

This is the most hilarious part of the Memo: everyone knows that Osman is nothing but a puppet of Swamy, and for a good reason, he has a very good life under Swamy, no teaching, he comes to the Department not more than three times a week, just for couple of hours, and very often after 5 p.m.. Osman, challenging any decision of Swamy, can one imagine anything more incredible? So, how did this myth appear? Very simple: this was just a little trick which Osman and Swamy played on Vice-Rector Sheinin. On the one hand, Swamy did not want to offend Vice-Rector Sheinin by siding with other members of the faculty, on the other hand, he was dead scared that I blow the whistle on him, so he made it look like he was submitting to the pressure exerted by Osman,

and Vice-Rector Sheinin bought all this, is not this hilarious?

Vice-Rector Sheinin writes:

" I write now because I would like to discuss this issue with you. My own assessment is that whatever problems we have been presented with by Dr. Fabrikant, will continue. This is also the advice we received from (name deleted)(at the trial I learned that the deleted name was Dr. Steiner). My gut feelings tells me that he should not be taken on to the full-time faculty at Concordia University."

This is the translation of her "lame" and "circuitous" English into normal one:

"The laws of LA COSA NOSTRA - CONCORDIA say that if a person threatened to go public, such person is dangerous and should be eliminated."

She was wrong: in 1990 I had just one desire - to be left alone, and to be able to do what I did best - teaching and research. The police arrest and the denunciation in absentia by the tenured members of the Department were the turning points. I am sincerely grateful to all the dishonest and dishonorable people participating in these events, they gave me the courage and determination. I am very proud of myself and my actions. Continue, guys, in the same vein, the more you do your underhanded work, the more determination it gives me.

Vice-Rector Sheinin writes:

" If I as Vice-Rector, Academic approve the appointment, it will therefore be as a rubber stamp for Dean Swamy's decision. "

And a very expensive rubber stamp for the university, should I say. A secretary can do rubber stamping much cheaper. I hope that one day this university will have a Vice-Rector, who would use his/her own brain and make his/her own HONEST decisions (Amen!).

Vice-Rector Sheinin writes:

"To be quite honest (sic!), I do not feel like doing battle on this issue because the original "complainers" are vanishing in the woodwork. I am very disappointed, because when the dossier was handed off, I assumed that Concordia really wanted to act. I don't believe that now."

This paragraph is so "circuitous" that it raises more questions that it answers. Who were the original "complainers", and what did they complain about? My dossier was handed off to whom, and for what reason? Vice-Rector Sheinin has to do a lot of explanation here.

Vice-Rector Sheinin writes:

"I have done what I felt was justified and necessary, as you will see from the enclosed letters. This is a collective decision for Concordia, primarily because the various stages of inaction and default action were taken long time ago."

I would love to read those "enclosed letters" which justify her actions. [I still do not know what was in those "enclosed letters", what I received did not contain any enclosed letters] May be, I am too hard on Vice-Rector, may be she has indeed some letters which exonerate her. I just wonder why is she hiding them rather than displaying them in public. I agree though that the whole matter was heavily mishandled from the very beginning. The problem is that the administration does not learn from their mistakes, and with each new

action making things even worse than before. Too bad.

In the Holocaust documents, the fascists were also "circuitous", they never wrote about killing or exterminating Jews, they were just trying to "solve the Jewish problem", sounds nice, is not it? Vice-Rector Sheinin just did what "was justified and necessary". Nowhere in the Memo she states it clearly that she wanted to fire me. Nowhere in the Memo any specific reasons for such drastic action are given. This is an extremely dishonest document, and this is why it was kept in a confidential file.

Vice-Rector Sheinin on several occasions proudly said that the academic excellence is the only thing which counts in the performance assessment. Well, in November of 1990 I was Mr. Excellence from every ACADEMIC point of view. Why did she want to fire Mr. Excellence?

In every civilized society, an administrator caught red-handed with such a Memo, should either give a very good explanation or to resign.  
End of quote.

As one can see from the tone of the message, in 1992, after suffering a heart attack in 1991, having been arrested and searched by police in full view of the university, I have become quite belligerent, and expressed very little respect for the university administration.

>Sheinin, however, added two riders to his two-year contract. First,  
>Fabrikant must wait three years before being considered for tenure.  
>Second, his previous years at Concordia would not count for tenure.  
>Fabrikant signed his contract in January 1991, retroactive to June 1990.  
>He had what he wanted.

The only real reason for this delay of my tenure was the fear of the university crooks that I would blow whistle on them. They were sure that I would do nothing at least until I would get tenure. They were wrong.

>In spring, shortly after Fabrikant was installed as a full-time associate  
>professor, he asked for a four-month paid leave of absence to go to  
>France. It was refused.

>"I was astounded," Osman said. "He gets faculty appointment and then he  
>wants to take off."

And here is what really happened. The National Research Council of France has decided to give me a very prestigious scientific award "Poste Rouge" (100,000FF and work during September-December of 1991 at their prestigious laboratory of roads and bridges). This kind of award is always considered as a great honour to any university, and no professor has ever been refused the right to accept the award. I did not ask for any favours, and I was not running from teaching: I was prepared to teach in the summer instead. I was refused to accept the award. This was a deliberate spit in the face with the purpose to provoke me into violent reaction. They did not succeed at that time.

>Then, that summer, Fabrikant did something that made Osman wish they  
>never met. Fabrikant asked if he could use research money to buy release  
>from his teaching so he could pursue his "huge research program."

>"I was really pissed off," Osman recalled. "I had given him a very light  
>teaching load and he did not even want to do that."

>Osman advised Fabrikant that using research grant money to pay somebody  
>to teach his courses violated university and federal regulations.

It happened not in the summer, but in September of 1991. I did not ask for anything illegal, on the contrary, all the prestigious scientific awards (fellowships) do exactly that: recipient of awards is given money to pay for his replacement, while he is doing his research, which is deemed to be important. "Post Rouge" is one of such awards in France, "Killam Fellowship" is a similar award here. Article 16.14 of Collective Agreement explicitly authorized use of "time release stipend or similar funding" for these purposes. This could be done with agreement of Department Chair and the Dean, and this was what I was asking for. The funny thing here was the person, who was reproaching me evasion of my teaching responsibilities, Osman, was not doing any teaching at all. He was not doing anything much: he used to appear in the department every other day for couple of hours, often after 5 p.m., and he was not doing any research either: he placed his name as co-author of articles written by graduate students, who were actually supervised by someone else. This is called co-supervision, when one professor really supervises students, and the other just takes credit for this.

>Fabrikant's response: "Are you trying to scare me? I'm not scared. I wrote a letter and I want a written reply".

Again false. This was not my response to the above. Osman told me to withdraw the letter and threatened me that if I did not withdraw my letter, he would have me fired. That did it. I never liked to be threatened. I have recently had a heart attack, with a difficult recovery, and I did not want to take any abuse from him anymore.

>So Osman gave him one. He demanded Fabrikant furnish a written report by >Oct. 15 on his future teaching goals and his plans to enhance and to >develop the undergraduate and graduate curricula. Fabrikant missed the >deadline.

False again, I responded on time.

>So Osman wrote a second memo demanding Fabrikant furnish within three >days a report on his undergraduate and graduate curricula proposals; on >the percentage of time he spent on teaching and on research; on his >beliefs and convictions toward teaching duties vs. research; and a report >on how his research supported the department's research goals. A >defiant Fabrikant responded a week later, on Oct. 26, 1991, by asking in >writing for a promotion to full professor.

The department had already recommended me for promotion to research professor (which is equivalent to full professor), so I had valid reasons to demand promotion.

>As for Osman's demand that he supply a mission statement on his future >contributions to the department, Fabrikant wrote: "My whole life of >teaching and research (about 30 years) is the best mission statement one >can make."

I think, I have responded quite well.

>Fabrikant's two-year contract was due for renewal in June 1992, and Osman >finally decided to do what nobody else had done. He examined Fabrikant's >resumes. He found discrepancies between the two resumes Fabrikant had >submitted since coming to Concordia in 1979.

I already explained above why I changed my resume. Nobody before compared those resumes, because there was no point of doing so. Even if I was a nobody in Russia, I was hired first at Concordia at the lowest level imaginable, and

all my promotions at Concordia were based on my performance at Concordia, not on anything from USSR, this is why Osman never confronted me with his "resume discovery".

>Now he wanted proof of Fabrikant's academic credentials. Russia was more  
>open and the documents were available. So, he asked Fabrikant to obtain  
>them.

>Fabrikant contemptuously replied in a memo: "How can a scientist like you  
>ask a scientist like me for proof of my credentials?" (Finally,  
>Concordia general secretary Berangere Gaudet wrote Osman in January 1992  
>demanding he drop his investigation into Fabrikant's credentials, saying  
>it was unreasonable and possibly bordering on harassment).

The Gazette falsely claims here that Osman asked me for my credentials at the time of my contract renewal, he asked me to provide credentials at the beginning of January of 1992, when he already recommended my contract to be terminated, and did not succeed. This is why Gaudet wrote to him, that it was harassment. It was also harassment because, if he really wanted to know whether I had a Ph.D. degree, all he had to do was to pick up the phone and to call my thesis supervisor Professor Bolotin (who is quite fluent in English) and ask him directly. I responded to him the way I did, because he tried to have me fired, with no valid reason, because he participated in assaulting me in the department on October 30, 1991, and because I believed, he was the main cause of my heart attack of 1991. I saw him as a parasite, who did not do any teaching and no research, while collecting \$100,000 plus salary.

>Well aware that his reappointment was approaching, Fabrikant again began  
>hanging around Sheinin's office and, in mid-October 1991, attending one  
>of her weekly coffee meetings with faculty. He sat alone, staring  
>blankly at Sheinin. Not saying a word. Just staring. For two hours.

It happened not in 1991, but in 1990. I was quite distraught at that time. I was hoping to be able to talk to her privately, but no such opportunity came up. In 1991, I was quite defiant, I no longer cared very much as to what this people would do.

>Osman, meanwhile, wanted to get rid of Fabrikant. It was clear to him  
>that Sheinin was right and that Fabrikant would never fit in. The  
>mechanical engineering personnel committee logged more than 30 hours of  
>meetings in late October.

Why would anyone need 30 hours to decide a question of contract renewal? After all, it was the same group of people, who claimed just a year ago that I was an asset to their respective units, and who knew my file by heart? The answer is as strange, as the whole story: I had evening lectures which ended after 11 p.m., and they deliberately staged their meetings at that time, hoping to create a confrontation with me (see further).

>Fearful that Fabrikant would eavesdrop, as he often did, Osman ordered  
>that his office doors be soundproofed. (At one point, committee members  
>discovered Fabrikant loitering outside Osman's office at 11:30 at night.  
>They called security to have him ushered out of the building. But he  
>escaped through basement. He would later claim he was assaulted)

Why would Osman be fearful that I would eavesdrop? He was discussing my contract, sooner or later, I would know their decision anyway. Besides, he knew that I had a late evening lecture, he could have discussed it during the day. Why would he be discussing my contract at 11:30 p.m., knowing full well that I would have to pass by? He could have discussed this at Sankar's office which was about 6 kilometers away. The answer is very simple: they wanted to

provoke a confrontation, by "catching" me in eavesdropping. The "soundproofing" was really installation of a viewing device, so that he could see from inside his office, who was in the corridor (my office door and his back door exited to the same corridor). The whole operation was a part of campaign, which was designed by Dr. Steiner to "trigger" me.

I recall that about that time I saw on couple occasions a stranger entering the department together with me and going to the back door of Osman's office, making some special knock on the door, and then he would be let in. It was obviously done for me to see. I thought at that time that it was just an intimidation spectacle: to show me a criminally looking stranger, who instead of going through the secretary, comes through the back door. Now I think that it was not just for intimidation, but also to entice me into eavesdropping and then to "catch" me.

(I reproduce below the abbreviated text of my complaint made at that time)

I have returned to my office after late lecture at about 11.10 p.m., on 30 October, with my graduate student, and had a discussion with him for about half-hour, after which he left. I have mailed some letters and prepared to go home, but before that I stood in the corridor (as I often do) looking at the pictures of earlier graduates. I had not been in that position even 20 seconds, as suddenly and quickly the door of the Chairman's office opens, and Dr. Osman runs towards me (I was standing about 5-6 meters from the door of his office) shouting that they had a meeting of DPC, and that I was spying on them.

I have said that he had no right to shout at me, that I was standing in the corridor too far from his door, looking at the pictures. Using his logic, no one can stand in the corridor, because the doors of other professors offices are around, and everyone can claim that the person standing in corridor is spying on him. Besides, his door was soundproofed. Dr. Osman immediately made an "experiment": Dr. S Sankar went inside his office and started talking inside very loudly, so he was heard not only 5 meters away, this way he could be heard even 15 meters away. That was the proof for Dr. Osman that I was spying.

He started calling security, so that the security would come and testify that I was in the department, which was ridiculous, since I had no intention to deny that I was in the Department, more than that, I had exactly the same right to be in the Department as they. I the meantime, professors Hoa, Lin and S.Sankar surrounded me, as a group of bandits, when they want to mug someone. When I made an attempt to go home, Dr. Osman tried to stop me by force. I left anyway, and all of them went with me harassing me on my way downstairs to the garage. There is a hard evidence that the whole thing was staged: 1)No one in his right mind makes a DPC meeting at about midnight; 2)Dr. Osman admitted that he knew I had a late lecture, and that nobody else would be in the Department; 3)They knew that I stand very often near those pictures; 4)The timing is extremely suspicious: I was not standing there even 20 seconds, as the door opened, they clearly were watching me from behind the door. They should apologize.

End of quote.

The university administration delayed adjudication of my complaint until June of 1992. Finally, it was adjudicated, and three individuals, who had no reason to favor me, (remember, I was the one who everybody loathed) came to the following conclusion:

"We find that the defendants S. V. Hoa, S. Lin, S. Osman and S. Sankar did harass and intimidate V. Fabrikant on the evening of October thirtieth (30th), nineteen ninety-one (1991). The defendants' conduct

constituted an act of assault because V. Fabrikant was physically controlled, unlawfully detained and unlawfully restricted in his movements. These actions are in violation of the rights of members of the university, as laid down in article 2 of the Concordia University Code of Conduct."

"Professors Hoa, Lin, Osman and Sankar, reprimanded for having harassed and intimidated Fabrikant and for having attacked his dignity, reputation and honor."

End of quote. The Gazette did not bother to inform its readers about this decision. The yellow journalists did not bother to inform its readers about the next stage of provocation. I reproduce below the text of my second complaint describing what happened on November 1, 1991.

This is a complaint against the University (Art. 2). I came November 1 at about 4.30p.m. to the Senate meeting. Immediately, several security officers appeared nearby in the Senate Chamber. I did not pay much attention to it, at least it never crossed my mind that they were watching me. When the Meeting was over, and I went outside, I was approached by two policemen who said that someone from the University called them and told them that I have a concealed firearm and about to commit a crime. They have arrested me and searched me in full view of the University community. Of course, no weapon was found.

This is done in the University where "dignity, reputation and honour" of its members are annunciated as Governing Principles. This is yet another part of badly orchestrated campaign against me. I call it badly orchestrated, because here everyone pretends to be afraid of me, while my other complaint clearly indicates that if my colleagues in the Department would be really afraid of me they would not dare to stage what they did.

I request an apology and an assurance that this incident will not be repeated again. In the case the matter comes to the Hearing Board, I request it to be public.

End of quote. This complaint was also delayed until June 1992. I reproduce part of their decision:

1. We find that Concordia University, as represented by doctor Catherine MacKenzie, violated article 4 of the Code of Conduct, which is members of the university with supervisory authority of any kind, are to use such authority both on campus and off solely for the purposes stated, or implied in university policies, and with due regard to the overall aims and purposes of the university.

MacKenzie did not take due care to ascertain facts, and therefore acted impulsively abusing her authority, and thus depriving a member of the university of his rights.

2. We find that Concordia University, as represented by doctor Catherine MacKenzie, violated article 2 of the Code of Conduct, she attacked the dignity, reputation and honor of doctor Valery Fabrikant by causing him to be arrested by the M.U.C. police, particularly as such was accomplished in full view of colleagues and the public.

End of quote. It is easy to understand, why The Gazette did not inform its readers about all this.

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&gt;Eventually, the department committee voted not to renew Fabrikant's  
&gt;contract, citing his chronic abusive behavior, his repeated attempts to  
&gt;evade teaching duties and his failure to supervise more graduate  
&gt;students.

The funny thing here is that the same people just 6 months earlier commended me for excellent work and awarded me the highest in the department SPS (salary progression step). How could they then not notice my "chronic abusive behavior" and my "repeated attempts to evade teaching duties", etc.? The words "chronic" and "repeated" mean that I did all those things many times. You might not fire such a man immediately, but you would not give him the highest in the department salary increment either. Here is a quote from their decision of April 5, 1991:

The DPC (department personnel committee) recognizes the excellent work and high performance of Professor Fabrikant; ... the DPC .... recommend a maximum of 2.3 points which is the highest SPS awarded to any faculty member in the Department of Mechanical Engineering.

Therefore the DPC of the Department of Mechanical Engineering strongly recommends to the FPC (Faculty Personnel Committee) as well as to the VR (Vice-Rector) Academic that Professor Fabrikant be awarded the highest possible extra points, as specified in the Collective Agreement, after comparison with other engineering and university faculty performances. The DPC believes that Professor Fabrikant deserves a final SPS point value of 3.0  
End of quote.

&gt;"Many persons inside and outside the university have been subjected to  
&gt;harassment threats, blackmail and allegations by Dr. Fabrikant," the  
&gt;committee wrote in its decision.

Who are the "many persons"? They mentioned the 1983 incident with a smoking teacher in the French class and the printer incident, nothing else. I was right in both cases, and those cases were well known on April 5, 1991, when they considered my work "excellent"!

&gt;During this time, Fabrikant took steps to obtain a gun permit. He showed  
&gt;up at the Surete du Quebec Montreal headquarters June 15, 1990, to ask  
&gt;for a certificate to buy a pistol. Then, on September 7, he requested a  
&gt;permit for a .38 Beretta to protect his home. The SQ refused because he  
&gt;could not justify the need.

The following incident prompted me to request a gun permit. One day I found that my car in the basement garage of our house was broken into. Nothing was stolen, the glove compartment was open, my driver license was taken out, clinched in someone's fist, and all wrinkled thrown on the driver's seat. It was obviously a threat, and I had no doubt where it came from. I checked with the building manager, nobody else complained on any car break-in. Clearly, they targeted me. This is why I requested a permit to buy a gun for protection. In my explanations to SQ I could not name Sankars or Swamy, because I had no evidence it was one of them who ordered the break-in. I also did not want to show to these people that I noticed their activity, because that would only encourage them with their tactics of intimidation.

&gt;In the fall of 1991, Fabrikant took a course in handguns at a basement  
&gt;club in Ville St.Pierre. He passed the course on Nov.22, the day after  
&gt;the mechanical engineering department sent its recommendation to fire  
&gt;Fabrikant up to the engineering department's faculty personnel committee.

This is usual The Gazette's tactics of falsification and manipulation of dates in order to prove connection between events, which are really not connected. The official date of DPC decision is November 18, 1991. The date of November 22 is the day when I passed the exam, which was beyond my control. It was not a one-day course. The decision to take the course was prompted by the incident in the department on October 30, 1991, when I saw four professors behaving like muggers around me, I decided that I needed a gun for self-defence.

>After three meetings, the faculty personnel committee overturned the >decision [to fire Fabrikant]. The faculty committee claimed the >mechanical engineering committee concentrated too heavily on his behavior >and failed to properly evaluate his research and teaching record.

Yet another comedy played by FPC: one does not need three meetings for that; if they needed three meetings for every professor they would have no time to do anything else.

>Nevertheless, the committee criticized Fabrikant for not working within >the department's research goals, for not supervising more graduate >students, for not contributing to curricula development and for not >teaching any advanced courses in mechanical engineering.

In the language of these bandits the phrase "the department's research goals" meant that I should write an article and include my superiors as co-authors - in this case I would satisfy perfectly "department research goals". As far as teaching "advanced courses", the committee knew perfectly well that I was teaching at that time the most advanced course for Ph.D. students MECH-630. Some explanation for readers not familiar with university: the characters MECH mean that it was the core mechanical engineering course, the first digit in the number indicates the level, namely, 2 stands for regular course, 3 and 4 stand for advanced undergraduate, 5 - Masters level, and 6 - doctoral level, and this was what I was teaching.

>Instead of renewing his two-year contract, the faculty committee voted to >put him on probation for one year, during which Fabrikant was to >demonstrate he could satisfy all of the committees concerns. Without >realizing it, the committee had Fabrikant trapped. He was in danger of >being uncovered as a fraud.

This committee had no "concerns" just six month earlier when they added 0.4 to my salary progression step and recommended vice-rector to add even more. The whole decision is nothing but and arm-twisting attempt.

>He was not a mechanical engineer as he had claimed. He could not teach >advanced courses in the subject in which he had fraudulently claimed he >had a PhD.

At the trial I showed to defendant Marsden the excellent course evaluation from the course MECH-630, which I taught in the fall of 1991, and I asked him whether the doctoral level course looked sufficiently advanced to him. He looked pretty stupid.

Let us try to use elementary logic. I had been in the department for almost 12 years by that time, published numerous scientific articles, over 30 of them were co-authored by people like T.S.Sankar, and nobody doubts that he was a specialist in mechanical engineering. Now, if my articles were not in the field of mechanical engineering, then how could Sankar be a co-author, and even in this case, Sankar must have at least read them, and he could clearly understand at least whether my publications did or did not fit the field of mechanical engineering. On the other hand, if my publications were in the

field of mechanical engineering, how could I possibly write them, having so little knowledge of mechanical engineering? One can not possibly hide or falsify his field: it becomes obvious from any publication of his (of course, if he is a real author).

>Fabrikant had already tried to obtain a transfer to the department of >mathematics but was rebuffed. Nobody else wanted him. And admitting >that he had lied on his resume would get him fired.

Yet another falsification of timing by The Gazette: I tried to transfer to the department of mathematics much earlier (1989-90), not in 1991-92. And I made this attempt not because I "knew nothing about mechanical engineering", but because I wanted desperately to get away from these crooks. I was not a mathematician, but I was pretty good in math, as I showed before by teaching applied probability and statistics. I was "rebuffed" because Sankar has blacklisted me everywhere. He thought that this way he would be able to use me forever.

Even if I did lie on my resume, they could not have fired me for that because I started at Concordia from the very bottom, so whatever positions I had in Russia was irrelevant after 12 years of service and numerous promotions.

>So, early in the new year, Fabrikant began what would become an >international campaign to discredit the university and paint himself as a >victim of "fraud and corruption" on the part of his colleagues.

Now, after the top administrators at Concordia were fired, everybody knows that there was indeed fraud and corruption at Concordia. I did not start my campaign because I "felt trapped", there was nothing to trap me in. The main reason was the heart attack which I suffered in March of 1991. I almost died. I never smoked or used alcohol, was always in top physical shape, and I had no doubt that this heart attack was deliberately induced by tremendous mental torture, to which I was maliciously subjected on and off since 1988. I felt that I was being murdered, very legally and very professionally, and there was nothing I could do about it. I was also concerned that Concordia crooks might stage some kind of "accident" to have me killed. I decided to get all the information in public, so that they would have no point to have me killed. These were the real reasons why I went public.

>Vice-rector, services, Charles Bertrand wrote his memo quickly. He >glanced up the clock. Almost 5 p.m. It was getting late. The rector's >office was about to close for the June 24, 1992, holiday weekend and >Bertrand needed an answer right away.

>That morning, Valery Fabrikant had approached faculty secretary Elizabeth >Horwood to demand that she sign his application to carry a gun. >Fabrikant needed five signatures. The thought of Fabrikant with a gun >terrified Horwood and made Bertrand shudder.

Try to think logically: if I approached Horwood in the morning, why would Bertrand wait until almost 5 p.m. with such an important memo? What was he doing the whole day? I shall explain further, why he waited until 5 p.m.

The truth is that I never asked Ms. Horwood to sign anything: she was just a secretary, and I needed a signature of an "employer". I gave her the form to be signed by Osman about June 20, and she returned it back to me unsigned on June 22, 1992. On June 23, 1992, I have submitted it to the rector. I understood perfectly well that they would use this occasion to pretend that they were scared of me, this is why I brought with me my daughter to the rector's office as a kind of symbolic gesture: I am not threatening anyone, but I have small children, who need me, so I need to protect myself and my

family. (In the usual manner of falsification, The Gazette distorted it to claim that I brought my daughter to contract negotiations).

One more act of intimidation took place at that time. I found that the door of my car was unlocked in the basement garage. Nothing was touched, so I thought at first that I just forgot to lock it. I took a ride, returned back and this time I made sure that I locked the door. When I returned an hour later, not only the car door was unlocked, it was slightly open. Clearly, someone was watching my confusion and this time wanted to emphasize, that it was not my absentmindedness: they had the keys from my car, and God knows, what else.

>And it angered and scared vice-rector, academic, Rose Sheinin. She was >aware of Fabrikant's threats against staff and faculty and she always >opposed his hiring because she believed he was disruptive and did not fit >in. But the university opposed her. This time, she and Bertrand agreed, >the university had to act.

If she really knew about my threats against staff and faculty, how come she never mentioned any specific threat in the memo?

There was nothing to be angry about: I was doing what I was obliged to do according to the law. I needed five signatures: one - from my wife, second - from a friend, who knew me at least for 5 years, third and fourth - from neighbors in the same building where I lived, and the fifth - from the employer. I got the first four signatures right away, none of my neighbours was either angry or scared, all signed, without any hesitation.

>Bertrand hurriedly typed the memo: "It is our recommendation that he be >immediately suspended with pay from the university. In our opinion, Dr. >Fabrikant presents an immediate and continuing threat to the members of >university community as set forth in Article 29.07 of the collective >agreement. As a condition for reinstatement in the university, Dr. >Fabrikant must be required to produce a statement from a psychiatrist >chosen by the university, attesting to his mental stability."

Again, not a single fact to support their recommendation.

>Bertrand read the memo to Sheinin over the phone. "Sign my name," she >told him. Bertrand dashed out the door and headed up de Maisonneuve >Blvd. to Bishop Court, where rector Patrick Kenniff was waiting. >Bertrand was sure that Kenniff would agree to bar Fabrikant from the >school.

Pay attention: Sheinin just told Bertrand to sign her name, she did not tell him to include specific facts of my "threats against staff and faculty". She also understood perfectly well that Bertrand had no right to sign her name, but she could have done it through FAX. She clearly wanted to dissociate herself from the whole thing.

Assume for the sake of argument that I am a violent abusive man, who can kill for nothing. What good would suspension do against such a person? The result would be obvious: such a person would use the fact of suspension as a pretext to shoot the person who suspended him or somebody else. Did Bertrand understand this? Not only he understood it perfectly, this was his and Sheinin's purpose: to provoke me into killing somebody else. This is why he waited until almost 5 p.m. He wanted Kenniff to suspend me close to the end of the day, so that I would definitely not know about suspension until at least June 25. In the morning of the next day, June 24, 1992, he and Sheinin planned to go out of country on vacation, so if I kill somebody, it would not be they. What proof do I have ?

Here is a quote from Cowan's report, page 27:

There were no signed complaints, and the two Vice-Rectors asking him [Rector] to do this thing [to suspend Fabrikant] were both leaving the next day on holidays (Bertrand for 10 days and Sheinin for 43 days) Neither had exactly offered to stick around and extract signed complaints. End of quote.

Pay attention: "there were no signed complaints" - how The Gazette can explain this? Remember, according to The Gazette, my file ballooned to over 600 documents, which were my complaints and complaints against me. Now it looks like all 600 were just my complaints.

It is of interest that Sheinin in her response to Cowan report denies that she went on holidays from June 24, 1992. She makes another interesting claim: that it was the Rector, who planned to disappear for 10 days. Dr. MacKenzie, in her response denies that Bertrand went on holidays either, and I believe her. Now, how to reconcile all this? Very simple: they all planned to disappear, hoping that the outrageousness of the planned suspension, which was not supported by any evidence, would inflame me enough to go and shoot somebody else, since they all would be out of country. But since Kenniff refused to suspend, there was no need to go on holidays.

What happened after that? We can deduce from Sheinin's response to Cowan report, where she writes that Kenniff initially refused to consider the memo, because Sheinin did not formally sign it. She claims that she was at a meeting in Loyola campus. It is difficult to believe that the meeting lasted the whole day. Kenniff understood, why her signature was not there: she wanted formally to dissociate herself from this dirty deal, so that in the case something goes wrong, she could blame Kenniff, have him fired and take his place. Now it is known that they were like cat and dog. As soon as Kenniff realized it, he refused to sign. It is difficult to presume that Bertrand did not ask Kenniff whether he would agree to suspend me prior to writing his memo. Clearly, he did, and if Kenniff said "no" right away, he would not write his memo.

>The first six months of 1992 hadn't been good to Valery Fabrikant. His  
>second book had been a disaster, his proposal for a third was rejected,  
>and he was facing possible dismissal from his job.

Pay attention: we dropped Bertrand at the crucial moment: he is "dashing" to Kenniff with a memo to have me suspended, as if this really would have saved everybody. Why did the yellow journalists do this "suspense"? Now they need to explain, the "why" I started shooting, and it is a lie upon a lie.

In the first six months of 1992, I had no idea, how my book was doing: the first financial statement I got in 1993, and it was quite good. As I mentioned before, scientific book is not being published to make money, even Einstein could not survive on his publications. I was doing extremely well. Imagine, just published a book in 1991, and in 1992 I already have enough material for a new book - this is fantastic! I did not want my third book to be published by Kluwer, because I had a better deal. Since they published my first two, I felt obligated to give them the right to refuse, they did, and I was quite happy. I signed a much better contract with CRC Press. If anyone wants to check, the publisher's name at that time was Sullivan, and his address was 22-24 Torrington Place, London WC1E 7HJ, UK. His telephone was 011(44)-71-580-4190.

>The engineering department had put him on one-year probation during which  
>he had to prove that he could teach advanced mechanical engineering  
>courses. It was becoming increasingly clear to his colleagues, however,  
>that Fabrikant couldn't teach these courses.

My colleagues knew very well that I was teaching in the fall term the most advanced mechanical engineering course MECH-630.

>At first Fabrikant tried to get out of teaching altogether. When  
>department chairman Sam Osman sent a memo to all department professors in  
>November 1991 asking for their teaching preferences for the academic  
>year 1992-93, Fabrikant wrote back: "No teaching. I'll be on sabbatical  
>next year".

I did not try to get out of teaching: after sabbatical I would have returned to teaching anyway. But I was with the department for 12 years, and I was eligible for sabbatical, so I demanded one.

>Osman thought it was just another attempt to shirk his teaching  
>responsibilities. Fabrikant had no permission to take a sabbatical. Nor  
>did he have a right to one.

Here is a quote from Cowan report, page 25: "He [Fabrikant] was eligible, in my view, to be considered for sabbatical."

>Osman told Fabrikant that unless he indicated his teaching preferences,  
>he would assume that he had none.

I did respond to this letter, and I gave him quite a list of courses I was ready to teach. This is a quote from my letter:

I am prepared to teach various undergraduate as well as graduate courses. Those include (but are not limited to) ENGR-242, ENGR-243, ENGR-244, EMAT-212, EMAT-232, EMAT-391, MECH-221, MECH-321, MECH-443, MECH-498 (undergraduate); ENCS-602, ENCS-650, ENCS-610, ENGR-631, MECH-644 (graduate). I am also prepared (if necessary) to develop new graduate courses in elasticity (three-dimensional), mathematical theory of fracture, and contact problems which at present are not available in Concordia Graduate curriculum.  
End of quote.

I remind that the first digit in the course number indicates how advanced the course is: 3 and 4 - advanced, 5 - Master's level, 6 - doctor's level. The characters MECH mean core mechanical engineering course; EMAT means engineering mathematics course, ENCS means engineering and computer science course. Quite a field to choose from.

>Fabrikant felt cornered. His only refuge seemed to be the passive  
>sterile, international electronic-mail system called Internet. [...]  
>Fabrikant worshiped its power. It gave him access, free of charge to  
>about 15 million subscribers around the world with about one million more  
>linking up every month. He spent long hours, often on Sundays, pounding  
>his frustration into what become his own private international broadcast  
>network.

It is clear from the above that I had no reason to feel cornered. The reason I turned to Internet was as follows. First, I tried to publish all information in what supposed to be a "free press" - university press. They refused to publish my material, one article was published, but edited in such a way that it was totally distorted. When the editor refused to publish corrections, I turned to Internet. I am quite proud that I demonstrated the power of Internet at the time when majority of people did not see it yet.

The paragraph above creates false impression that I was broadcasting to all 15 million of subscribers, which is false. In all six months I did not reach even 1000 people.

>Early in 1992 his emissions started to reach a frenzied pitch. For six  
>months, reams of memos, letters and reports with lengthy explanations and  
>allegations of corruption came out of Fabrikant's computer and flowed  
>into those of fellow scientists at Concordia and around the world.

Again deliberate creation of false impression that I did broadcast before  
1992, and in 1992 I reached "frenzied pitch". The truth is that my first  
Internet posting was on February 14, 1992. There was nothing before that, and  
it was addressed to about 50 people at Concordia University, and that was it.  
In total, I placed about 10 postings in the whole 6 months, can one call it a  
"frenzied pitch"?

>Staring into his unquestioning computer screen, Fabrikant recreated  
>himself as Mr. Excellence. His papers and books became classic. And his  
>colleagues were bogus scientists and shams, corrupt and fraudulent.

I did not need to "recreate myself": I just retyped various documents, which  
were written by other specialists, and which described me as above. Some of  
those documents were written by the people who now wanted to have me fired.

>A push of a computer button transmitted his delusive self-representations  
>to the scientific world in lengthy transmissions which at one point were  
>so voluminous they caused a huge backup in McGill's electronic-mail  
>system.

There was nothing "delusive" there: all postings were various documents and my  
comments on them. I could not possibly cause any backup, because all postings  
were made usually on Saturday night, when nobody was using computers, and  
there was whole Sunday to sort everything out. None of my postings was very  
voluminous, usually it was about 20 Kb, never more than 100Kb. Here is an  
example of one of my postings:

Dear colleague:  
You might be interested to read the attached letter to the Editor (Appendix).  
This is in response to a previously published report on world's most  
"prolific" authors. The table presented there gives 20 top names, mainly from  
biology, none from engineering. The author number 20 has 322 publications in  
the past 10 years. I have counted at least 311 publications of Dean Swamy  
during the same time, which makes him about number 21 "prolific" author in all  
scientific publications, and since the top 20 are not from engineering,  
NUMBER ONE most "prolific" engineering author in the whole wide world!!!!  
CONGRATULATIONS, CONCORDIA UNIVERSITY!!!

V.I. Fabrikant

Appendix  
From NATURE, Vol. 356, p. 471, 9 April, 1992, Letter to the Editor

AUTHORS AND EGOS

Sir:  
Christopher Anderson's report (Nature, Vol. 355, 101, 1992) on publication  
frequency by scientists should be cause for grave concern in the scientific  
community. Authorship of a scientific publication is not a reward for having  
assisted in some way, however trivial, in making a research report possible.

If one is conducting field research in the Andes, for example, the muleteer  
hired to provide access to the study area obviously makes a vital contribution  
to the research effort but few would argue that this effort warrants  
co-authorship of any publications resulting from the expedition's scientists.  
Similarly, someone who is awarded a grant does not automatically merit

co-authorship merely because the funds made possible the research of others, any more than the largesse of an individual private donor who provides funds for research would merit inclusion on an author line.

If this were not a serious problem in science, the almost childlike attempts to feed enormous egos would be silly, indeed. Does anyone really believe someone authors a paper every few days? Clearly not. Perhaps it is time for reviewers of manuscripts and grants to stop playing this little game and deduct point for patent ego engorgement.

Michael A. Mares

Oklahoma Museum of Natural History  
and Department of Zoology  
University of Oklahoma  
Norman, Oklahoma 73019, USA  
End of quote. Just one page posting.

>McGill computer services pleaded with Fabrikant to stop repeating a  
>programming mistake that often sent 45 copies of the same letter to the  
>same place. But Fabrikant couldn't believe he'd made a mistake, and  
>announced that McGill, too, was part of a conspiracy to make him look  
>crazy, which he described as an "old communist trick."

Anyone, who ever posted something, knows very well that there is no programming involved, nothing at all: you click, and it is sent. I asked one professor, who claimed to receive multiple postings to re-mail them to me, she used various excuses, and never mailed them to me, from which I could conclude that this was a conspiracy indeed: authorities desperately needed to stop my postings, so the only reason they could put forward should be technical, anything else would be a censorship.

Here is an interesting latest development. My son has posted several legal documents of mine in the group Mtl.general. He got a warning on January 26, 1998, saying that he was sending some "unsolicited mail". He did not understand how a posting could be called unsolicited mail, so he send a message asking for clarification. None came, and on February 3, 1998, the Sprint internet service was disconnected. After numerous phone calls for explanation, my wife has received a letter dated March 4, 1998:

Dear Ms. Tyker:

This letter is further to the recent cancellation of your internet service.

We received complaints with respect to correspondence issued by username ifabrikant which is the user I.D. associated with your internet account. The complaints were based on the fact that email messages were being sent from your email address to other internet users which were perceived by those users as being threatening and disparaging. Sending these email messages is in direct violation of the online internet service Terms and Conditions, particularly paragraph 1, Rules of Conduct (d).

The first violation occurred on January 26, 1998, and the second violation occurred on February 3, 1998. Your internet service was cancelled on February 3, 1998.

Your internet service will not be reinstated and Sprint Canada considers the matter closed.

Signed: Diana Van Amburg, Quality Assurance Analyst, Marketing, Sales and Service.

End of quote.

The authorities are so afraid of the truth, that they are prepared to lie that the messages were "threatening", which of course they were not, and neither they were "disparaging". But the most interesting, they were not sent to any particular user in the first place: they were just posted. Nobody is forced to read it.

I tried to file a court proceeding, and the court is refusing to proceed, under pretext of formalities, while my other motions were considered, formalities were not a problem at all. If this is not a conspiracy, what is?

>While some scientists dismissed his postings as idiot rantings, others  
>were more encouraging. Disgruntled students and some professors jumped  
>on his bandwagon.

Pay attention to the choice of words: nobody really "supported" me - they "jumped on my bandwagon". I understand that all my postings are still available from Dr. Chohan at [chohan@ace.acs.ohio-state.edu](mailto:chohan@ace.acs.ohio-state.edu). Read them yourself and make up your mind whether there is anything idiotic there.

>Unknown to Concordia, Fabrikant also redoubled his efforts, begun in  
>1990, to purchase a handgun. In February he secured a gun permit for  
>target shooting. Then, on March 11, clad in his fur hat and Red Army  
>great coat, he went to a small gun shop in Pierrefonds called W.S. Avenue  
>International and bought his first handgun - a palm-sized \$69 pistol  
>called an MEB 6.35 described as too small and inaccurate for target  
>shooting. "It's a lady's gun," shop owner Bill Sinka said with a shrug.

I never had "Red Army great (sic!) coat", and even if I had it in 1979, by 1992 it must have disintegrated. Why did "Red Army" appear? Very simple: a murderer must have association with Red Army. I bought the gun for self-defence. Had I planned to kill someone, I would have bought a more accurate gun of higher caliber.

>Concordia's winter semester ended in April. Fabrikant spent part of May  
>marking his share of exams for a first-year dynamics course that had been  
>taught by him and three other professors. Each professor is allotted a  
>number of questions to mark. After the marking, each student's exam book  
>is returned to his teacher, who adds up the score. When Fabrikant added  
>up his students' marks and the registrar posted the results, the trouble  
>started.

Important note: what registrar posted was not the total score, say, 45, but the corresponding grade, which for scores from 44 to 49 was D-. So, there was no need for me to falsify any score, since they were not posted.

>The final marks were issued in late May. And it was not long before  
>students started complaining. But they weren't the usual type of  
>complaints. Students did not complain about their own marks; they  
>complained about other students' marks. And those marks were given by  
>Fabrikant.

At the trial defendant Marsden admitted that he personally did not see a single complaint, when I asked why, he said that they were all oral. Would you believe that Osman, who hated my guts, would not force complaining students (if they existed) to put their complaints in writing? I also asked Marsden whether he spoke to any of the complaining students, and he admitted that he did not speak with any "complaining student". Would you believe that Marsden would have missed the opportunity to speak to a student who was complaining on me?

>"Students talk after exam and compare answers," Osman said. "So they

>have pretty good idea who gave what answers." They began to complain  
>that fellow students who hadn't answered the questions correctly received  
>better marks than they did. After receiving about 20 complaints, Osman  
>grew concerned.

I knew this very well, and this is yet another reason why I would not falsify any marks. Had I done it, I would have been caught 12 years earlier.

>So he collected all the exam books from the professors and gave them to  
>an outside consultant to analyze. Fabrikant grew concerned. Several  
>times he tried to find out from Osman's secretary, Elizabeth Horwood, why  
>the exam books were recalled. She said she didn't know.

I had nothing to be concerned about. Had there been any complaints, I would have known about them: students would not keep this secret from me. I did ask Ms. Horwood, but only out of curiosity.

>The consultant, who is a mechanical engineer and whose identity the  
>university has kept secret, filed his report in July 1992. His computer  
>analysis of the marking reveal some startling facts:

>- Fabrikant had marked wrong answers correct for his students

>- When Fabrikant added up his students' scores he fraudulently bumped up  
> the marks 12 to 20 per cent.

Questions: why would the university need an external consultant and why did they keep the name of "consultant" secret, (Osman himself could not check the addition of scores?); why did he need a computer to check the addition of single-digit numbers, like  $5 + 6 + 8 + \dots$ , why would I need to mark wrong answers correct and falsify the addition of scores, if they were not posted? I asked Marsden at the trial whether he read the report, saw any of the exam books or spoke to the external consultant. He answered "no" to all these questions.

Osman could argue that he needed to keep the consultant's name secret, to save his life, but at the time Marsden spoke with Osman, I was in jail, so why did he still keep the name secret? I asked, according to the Access to Information Act for a copy of this report, and I got a response, that they "could not locate it". I asked to specify whether they could not locate it because it never existed or for some other reason. In response I have received the same statement. Concordia University refuses to admit that the whole story is just a hoax.

>Osman didn't receive the consultant's report until late July. His  
>superior, Dean Swamy, was out of town, so Osman couldn't discuss it with  
>him. Several days after Swamy returned, the shooting took place. So  
>Fabrikant has never been confronted about the report.

Swamy returned to Montreal not later than August 10, two weeks are more than enough to show that I did falsify the addition of  $5 + 6 + 8$ . Besides, why would Osman need Swamy to confront me on such a simple thing in the first place? He was the department Chair, is not this enough?

The latest development in my access to information battle. I forced Concordia University to file an affidavit from Osman. In this affidavit, Osman claims, contrary to what he already said to The Gazette, that he received the report AFTER the shooting, and this is why he did nothing with it. He also reveals the "confidential" name of the report author: Gerry Bush. I know Osman had once a graduate student G.Bush. Now I am trying to find this Gerry Bush and get him to testify. Naturally, Commission for Access to Information refuses

to help me in this. My son has managed to locate G.Bush. His address is 1659 rue du Burgundy, St-Lazare, Vaudreil, Quebec, J7T 2C1; his telephone number is (450)-455-7683.

>Fabrikant knew that Osman intended to have the papers marked again. He >must have worried that he would be found out.

How on earth would I know it, if I asked Ms. Horwood, and she told me nothing? All this nonsense to convince reader that I would go shooting people, because I was afraid to be discovered as a fraud. How stupid the readers must be to buy such a story! As if killing someone could save me from being discovered as a fraud! On the contrary, without murders I would be quietly exposed as a fraud; with murders - I am exposed to the whole world as a fraud.

>In June 1992, Fabrikant also received his teaching assignments for the >1992-93 academic year. It wasn't good news. He was assigned four >courses, two of which were computer design courses, one at the graduate >level. "He went into panic," Osman recalled.

If I could teach course of applied probability and statistics, which is totally outside my field of interest, I could teach any course. The question was: at what cost to me and what would be the quality of teaching. I am a perfectionist, and I could not put up with the situation, where my teaching would be anything but excellent. I did agree to teach applied probability and statistics, because I just arrived in Canada, and I wanted to show my capabilities. Twelve years later, I already have shown my teaching capabilities, and I was not prepared to take a course outside my field.

>Fabrikant knew nothing about computer design or creating software. >Fabrikant once told Osman he thought it involved teaching students simply >how to use software for drafting and design purposes.

Remember, in Russia I was working as a programmer, though my programs never worked, they looked good on paper, so I must have known something about "creating software". The funny thing here is that the computer-aided design course was one of those I was ready to teach. The course Osman gave me was the course of mechanical design, which has nothing to do with computers.

And here is a quote from Cowan's Report, page 28:

It is well understood that Dr. Osman wished Dr. Fabrikant to demonstrate a greater topics breadth in teaching before being considered for tenure, but it seems likely that the choice of design was intended to put some extra pressure. A number of engineers have indicated to me that there were better and fairer choices of courses which could have been used to demonstrate adequate breadth.

End of quote.

>Fabrikant begged to be reassigned. But Osman stood firm. "Every >mechanical engineering professor must know how to teach this course," he >said.

I could not have "begged": I was on non-speaking terms with Osman since October 1991, I did not utter a word with him, everything was in writing. Here is a quote from one of my written messages to him at that time:

Advising students is an extremely important duty, and it has to be done by the most "senior" members of the Department. Besides, some of them are doing nothing or next to nothing in both teaching and research, so it would be nice to have them done something useful for a change. You are definitely number one

among them, and T.S. Sankar and S. Sankar are very close behind. So, you have at least three excellent candidates for student advising. Please feel free to use them, and participate yourself.

End of quote. He responded that my message was libelous. Here is a part of my response:

Your statement that my previous letter was libelous is wrong. When I say that you do next to nothing in the Department, this is just a well known fact: you do not do any teaching, your research is very meager, and you are almost never in the Department during working hours. Can you dispute this? When I say that your moral standards below anything I have seen, again, I mean just facts of your behavior.

End of quote. Does this look like "begging"?

>In August, a week before the killing spree, Fabrikant went to court >seeking an injunction against the university. He wanted the court to >order Concordia to cancel his teaching assignments and grant him an >immediate sabbatical. In his motion he claimed he was a "world-class >scientist ... on the verge of an important scientific discovery." And he >admitted that the two design courses were "outside my field of >expertise."

My motion for injunction was deposited in court on August 19, 1992, clearly, since I undertook legal action, this means that I did not plan to kill anyone, at least on that day. Note: I did mention that the assigned courses were outside my field, so, clearly, I was not concerned to be "unmasked": I had more than enough courses I could teach.

There was one very important point which the yellow journalists do not mention: I wrote there that the university has offered me about \$200,000 as a shut-up money, which I refused.

>When Bertrand headed down the street of Kenniff's Bishop St. office >during the late afternoon of June 23, Fabrikant was in highly agitated, >even panicky state. He feared he could be unmasked for fraudulent exam >marking and his inability to teach more advanced mechanical engineering >courses.

How on earth would The Gazette know my state on June 23, 1992? And if I was so panicky, how come I did not kill anyone on that day? This lie has only one purpose: to convince the reader that my suspension would have saved everybody. On August 19, 1992, I deposited a legal action, clearly my panic was gone (if it ever existed).

>Bertrand wanted to send Fabrikant a strong message: "I wanted to say, >'We're fed up with your intimidation and your harassment, and we're not >going to put up with it any more.'" But his meeting with Kenniff didn't >go well. Kenniff categorically refused to suspend Fabrikant. Kenniff >has declined to be interviewed by The Gazette.

There was no intimidation, I did what the law required me to do: I submitted the fifth recommendation to the employer for signature. None of my neighbors considered it as intimidation, when I asked them to sign.

>Bertrand has recounted what Kenniff said: >"Legally, he did not feel he could suspend Dr. Fabrikant. He did not >have enough proof that he was a threat. He's the rector of the >university; he's the only one who can suspend. It was his call and he >didn't feel there was enough there."

Well, Bertrand did not include a single fact in his memo, proving that I was a

threat. Assuming, on the other hand, if I was a threat in the situation where nothing was threatening me, then I would clearly go off, had I been suspended, and this is what they all planned at the beginning.

> Bertrand was stunned as he went back to his office. Of all the things > he'd imagined doing about Fabrikant, doing nothing has never entered his > mind. Over the last year he had heard professors and secretaries > complain that Fabrikant had threatened them with violence; the faculty > union offices had purchased video surveillance cameras because they > feared Fabrikant might get violent during his frequent unannounced > visits; the vice-rector, academic, has ordered guards stationed outside > her door whenever Fabrikant was around; Concordia has hired security to > protect the rector and several others; one university administrator > installed a panic button in his office; and the dean of engineering had > posted guard at his door, fearing that Fabrikant might attack or kill > him.

Again, if Bertrand really knew all this, how come he did not write about it in his memo?

> Still, Kenniff did not believe he had enough solid proof to take action > against Fabrikant. So he ordered his executive assistant, Maureen Habib, > to send a letter via internal mail to Grendon Haines, the in-house > consultant who in 1989 had tried to help Fabrikant. The letter asked > Haines whether he had any information that could support a letter to > police requesting that Fabrikant not be given a gun permit.

All this was nothing but a spectacle. Assume that you are the Rector, you know from Haines that I threatened to kill you, why would you need a written note from Haines? Now, assume that for some reason you still need a written confirmation from Haines. Would you waste your time writing to him or you would just call him on the phone and tell him to write all this immediately? The funny thing is that Habib did not write her letter for yet another week. Clearly, she was not in a hurry.

> Because of a foulup in the mail, the letter did not arrive on Haines's > desk until July 25, one month later. Haines sent his reply five days > later. In it, he recounted the bare facts of his meetings with Fabrikant > and mentioned the death threats. But his reply, which might have lent > considerable weight to the rector's letter, was too late. The rector had > already sent his letter to the police.

I do not buy that mail foul-up story, but assuming it to be true, Habib did not get an answer, why did not she call Haines and ask him whether he received the letter? Why would Haines need five days to write such a simple and urgent letter? Now, letter was already sent to the police, so what, Rector has no more paper to write another one? Or police has rules that only one letter is accepted? The truth is that Rector did not write any letter to the police, it was written by Bertrand. And Bertrand, who wanted to do something about me so much, did not bother to write another letter to the police after receiving a letter from Haines.

Here is my translation from French of the letter to the police signed by Bertrand:

I have learned that professor Valery Fabrikant of the department of mechanical engineering of Concordia University has requested that administration of the university sign recommendation to obtain permit to transport restricted weapon for the purpose of target practice.

None of the administrators of the university has agreed to sign the

recommendation, and this is for two reasons. First, the university Senate has adopted a resolution on October 16, 1991, which supports legislation for tightening control of firearms, and forbade entry to the university anyone with firearms, except for policemen and peace officers with special permits. Consequently, it is now forbidden to sign any recommendation to obtain permit to transport firearms.

Second, Mr. Fabrikant is now involved in controversy with the university. Also, in the last year he formulated four grievances against the university, according to collective agreement and he filed two complaints according to the Code of Conduct. In addition, he has accused several colleagues of fraud, as well as several administrators, including the rector, of "cover-up" and "conspiracy to protect the persons in question".

The university has all the reasons to worry about permission to Mr. Fabrikant to transport firearm. Please, do not hesitate to call our legal counsel Me Bram Freedman at 848-4797.

[Signed] vice-rector services, Charles L. Bertrand, Ph.D.  
End of quote.

An interesting quote from Cowan report, page 28: "Somehow, in the process, the most forceful two paragraphs of the lawyer's draft, dealing with Dr. Fabrikant's behavior, were deleted."

This kind of thing does not happen "somehow", obviously, it was Bertrand who deleted them. So much for Bertrand, who was so eager "to do something" about me! I have requested, according to the Access to Information Act, to see those two paragraphs, and Concordia University refused. Funny thing is that the President of the Commission for Access to Information Comeau, to who I appealed the decision, stalled the adjudication for 4 (four!) years, and then dismissed my appeal. One crook protects another one.

The Gazette does not mention it, but CUFA (Concordia University Faculty Association) has also written a letter to the police, dated August 3, 1992, with a similar contents, not a single fact of threats was mentioned.

>Meanwhile, Bertrand left for his Maine vacation disappointed. But he  
>consoled himself with the belief that Fabrikant wouldn't be able to buy a  
>gun.

He and everybody else knew perfectly well, that I had a gun: I explained it to Associate Dean Fancott and I explained it to Ms. Habib.

>But nobody had bothered to check what kind of application Fabrikant  
>wanted Horwood to sign. It was an application to transport a gun. In  
>other words, Fabrikant already owned a gun.

Just read the text of the Bertrand letter to the police above, and you will see in the first paragraph that he knew perfectly well, what kind of application it was.

>Unable to persuade anybody in the engineering faculty to sign his  
>application, on July 14, 1992, Fabrikant sent one to Kenniff. The  
>rector's reply: a huge bold-faced 'NO' printed over one letter-sized  
>page.

I sent it to Kenniff on June 23, 1992. On July 14 I received his big 'NO' from Ms. Habib, and I told her that his big 'NO' referred to non-proliferation, and in my case it was too late: "proliferation" already took place, I had a gun. I explained to her that all what I was asking for was permission to take the gun from my house to the shooting club and back. I

also explained to her that such a refusal was unreasonable, because if I plan to commit a crime with this gun, I do not need a permit to do that.

>A week later, Fabrikant's wife, Maya, filed a request with the police for  
>a permit to purchase a Smith&Wesson .38 special and a Bersa 84 7.65 for  
>target practice. She told The Gazette she picked them out of a catalogue  
>sent to her by Century International Arms Ltd., a Montreal gun  
>wholesaler, because they were small and light. Then on Aug. 6, the same  
>day Fabrikant had been forcefully rebuked by faculty association union  
>president Michael Hogben for his constant intimidation of staff members  
>at the union office, she ordered the guns from Century's Henri Bourassa  
>store. With money drawn from a bank account she shared with her husband,  
>she paid for the weapons three days before the killings and carried them  
>home. Fabrikant hid them in a suitcase to keep them away from children.  
>(In an interview, Maya at first claimed she never told her husband she  
>intended to buy the guns. Later, however, she admitted they had  
>discussed and agreed to purchases.)

The usual The Gazette falsification of dates. The purpose is simple: to implicate my wife in murder. Nothing is too low for the yellow journalists. The correct dates of events are presented as follows. Firearms Acquisition Certificate application is dated April 30, 1992. She passed the special gun course on May 18, 1992. Request to buy guns from International Firearms Co. Ltd is dated July 23, 1992. On April 30, 1992, when my wife started the procedure, she had no idea, that the rector would refuse my application on July 14 or that I would be "rebuked" on August 6, 1992.

The truth is that I was not rebuked on August 6, 1992, there was nothing to reproach to me. This is what really happened. I came to meet with Dr. Hogben in order to see my file. It looks like Dr. Hogben made extensive ethnic research on how to insult and provoke a person born in Russia: when I came to his office, he placed his feet on his desk in such a way that I practically did not see his face, but the soles of his shoes. In Russia such a behavior is considered extremely insulting. He hoped that I would blow up and threaten him. I did blow up, I told him that he behaved like a pig, but, of course, I did not threaten him. Dr. Hogben also invited one of his employees (Karpman) in his office to be as a witness in case I do threaten him. At the trial, I make Karpman admit that Dr. Hogben never in ordinary conditions placed his feet on his table, which means that he did it to me as a provocation.

>It was during these weeks that Fabrikant's neighbors in the apartment  
>building at 5525 Trent in Cote St.Luc became worried about the  
>engineering professor. When he wanted to unwind, Fabrikant was  
>apparently fond of playing a second hand piano he had bought.

>Neighbors enjoyed his selection so much that when he stopped playing  
>regularly, they started to call to ask whether he was OK. Maya assured  
>callers he was fine, but the truth was she was concerned about his health  
>and mental state.

If I am so rude, abusive and belligerent with everyone, how come the neighbors seem to have liked me? But pay attention: do you really believe that The Gazette wanted to show a positive part of me? Not at all. They wanted to create impression that I just got insane.

I was quite preoccupied indeed, but not for weeks, only from August 19, when I was served the accusation of contempt of court. The same evening, I got a phone call from Dr. Hogben, who told me that he knew about contempt of court accusation, that he can offer me a good deal: to take about \$200,000, shut up and get out of the university, otherwise, he told me, I would be convicted to

1 year in jail and "anything can happen in jail", which I understood as a death threat. Only from this moment on I stopped playing. It was not long enough to make anyone worried, there was no calls from neighbors, and Maya saw me quite preoccupied, but she never questioned my mental health.

>On Aug.23, the day before the shootings, several neighbors saw a solitary  
>Fabrikant pacing round and round the nearby outdoor pool, hour after  
>hour, immersed in thought and mumbling to himself.

I was pacing in the pool, but not for hours - for about 15 minutes, and I did not mumble. I felt that my life was in danger, the hearing was scheduled on August 25, and I was evaluating various options on how to react.

>Maya would later tell friends that Fabrikant paced up and down the  
>apartment that night with a blank fixed gaze, mumbling: "My life is  
>finished, my life is finished."

This is just plain falsity. I asked defendant Marsden at the trial which friends of mine related to him this, and he named Golods. I called them and they denied saying this to Marsden. Maya also denies saying this to Golods. Why did The Gazette need this lie? To create impression that I planned the murders.

I quote below part of my presentation in the Court of Appeal (lawsuit against Concordia University), with some modification and update.

#### WHAT REALLY HAPPENED IN AUGUST OF 1992 AND AFTER

My claim: that the murders at Concordia University were premeditated indeed, but not by me. The top officials of Concordia University, with the help of psychologists and psychiatrists, developed an elaborate scheme to threaten my life, so that I would have no choice, but either to surrender or to resort to something illegal, and they would have good reason to put me in jail for good. The third, and seemingly most logical way, to defend myself through the legal system was cut off for me by former Chief Justice of Quebec Gold, who was at that time also the Chancellor of Concordia University. His judges Barbeau and Bishop have demonstrated to me quite clearly that they had no respect for the law, that they can render any decision they want.

I have recently browsed through the trial transcripts and came across a "smoking gun". I was questioning one Grendon Haines, who worked at Concordia university as a conflict mediator-facilitator. In December of 1989, one Lepine has shot 14 female students at Universite de Montreal, just because they were women. When this happened, Haines testified, they met with a psychiatrist, Dr. Steiner and asked him whether I can do a similar thing. I have found in his file a phrase "another type of trigger" and I asked Haines what this meant. This is how Haines responded:

... what I do remember about the statement, My Lord, is that we were wondering if that was enough of an incident (shooting of 14 students at Universite de Montreal) to cause Dr. Fabrikant to act in what they call a copycat way at Concordia University and Dr. Steiner (psychiatrist from Montreal General Hospital) had told us, no, it was not enough, that he had said in fact that he would probably need another type of trigger, I've got "need another trigger", another event that might cause Dr. Fabrikant to overreact and that the only way to find out is eventually to call his bluff and if he was to be denied promotion or review, to do it and not to be intimidated into not doing what the university thinks should be done.

I do not know, how I missed it during the questioning, but read the excerpt attentively. Dr. Steiner effectively told them that I was not going to shoot

someone just because that someone is a woman, that I need another type of trigger. And the only way to find out whether they can make me kill someone, was to deny me promotion or contract extension, and this is exactly what they did further on. When none of this made me kill anyone, they found a gullible person Dr. Hogben to threaten my life, and this did work. I guess, every human being has a limit, beyond which he either kills himself or anybody else (or both). These people were deliberately playing "russian roulette" with human lives.

Somehow they managed to convince Dr. Hogben that he would not be in any danger if he threatens my life. The top officials of Concordia University themselves understood perfectly well, that they were playing a very dangerous game, since all of them left the town from August 19, 1992 (the day when I was served the Special order to appear against accusation of contempt of court). One of them, Mr. Gervais even resigned his post as Chair of the Board of Governors of Concordia University. There is little doubt as to the real reasons of his resignation, since there is no activity of the Board of Governors in August.

The plot was as follows. In July of 1992 I have distributed through E-mail a document where I have described total disrespect for the law displayed by two judges Barbeau and Bishop in the adjudication of my legal action for the authorship of my scientific papers against two Concordia Professors Swamy and T.S. Sankar. I have also expressed there my opinion that they were acting this way at the direction the Chief Justice Gold, and I called him "Chief Injustice". The conspirators have decided to use this E-mail to bring an accusation of contempt of court against me which carried a maximum penalty of 1 year in jail. Dr. Hogben has undertaken the dirty part: to be the blackmailer. He was at that time the President of the Concordia University Faculty Association (CUFA); his duty was to defend me against the administration and he was paid a special addition to his salary for fulfillment of this duty, he nevertheless had chosen the opposite: to cooperate with the administration against me. He was clearly brainwashed into believing that he could threaten my life and to scare me into an unconditional surrender.

Here is a brief account of what really happened.

On August 19, 1992, I was served a special court order to appear on August 25, 1992, before a judge and to answer to the accusation of contempt of court. The court order was signed by judge Chaput. The accusation was officially made by lawyer Judd who defended Sankar and Swamy in the lawsuit filed against them by me.

The same evening I received a phone call from Dr. Hogben, who informed me that he, Dr. Hogben, knew about the contempt of court accusation, that most probably I would receive maximum sentence of one year in jail and "anything can happen in jail". I understood it as a death threat. He hypocritically presented it as if he were my friend concerned for the well-being of me and my family. The pitch was: "I am your friend, I know you are in danger and I want to help you". This hypocrisy was so revolting, that I hanged up on him.

The next day I have met Dr. Hogben at the entrance of CUFA. He continued in the same vein: that he was concerned for my small children and what would happen to them should I be sent to jail. He told me "confidentially" that Chief Justice of Quebec Gold has made arrangements that judge Chaloux will adjudicate the action. According to Dr. Hogben, judge Chaloux's wife and daughter were raped in his presence by some criminals. The judge has decided since then to give maximum sentences to anyone appearing before him. (I later verified this information and it seems to be correct). Dr. Hogben repeated again that "anything can happen in jail", and suggested that the only way out was to accept the university administration offer: to take about \$200,000 in

exchange for my resignation from the university, withdrawal of lawsuit against Sankar and Swamy, and renouncement of all future claims against Concordia University.

It was an offer of "shut-up" money, which I has rejected on several occasions before as dishonest, and I rejected it again. (During the trial, the Associate Vice-Rector Dr. Proppe has confirmed in his testimony that such an offer was made to me and that I have rejected it).

On August 20, 1992 I have applied for delay of contempt of court hearing, stating that I had a presentation at the International Congress of Theoretical and Applied Mechanics in Haifa scheduled on August 24, so that I could not possibly appear in the morning of August 25 for the contempt of court hearing. I approached two judges with this application. Both judges refused to grant a delay, stating no reason for such a refusal.

I knew from previous experience that there was nothing easier in the legal system than a delay, so the categorical and unjustified refusal of two judges to grant a delay strengthened my concern that the threats made by Dr. Hogben should be taken very seriously.

This concern has prompted me to send several E-mail appeals to scientific community for help. I did not get any response, and this increased the sense of being alone and defenseless. I have no doubt that this isolation was part of the plot. During the trial I have discovered that a number of scientists did respond sending messages to the Rector. They probably sent some to me too, but my messages were blocked, so I did not get any. I was a subject of a massive psychological attack: the main computer was shut off from the afternoon of August 21 to late evening of August 23 in order to make me feel isolated; every day one or more messengers arrived with threatening legal documents. One such letter was written by the present counsel Mr. Hilton, and I received it on August 24. This letter threatened me with termination of my employment. All this was done to psychologically destabilize me.

On August 21, in the afternoon, I got a phone call from the secretary of judge Bishop. She informed me that judge Bishop had been on vacations and that it would be better to delay the hearing till mid-September. In reality, it was just an attempt to check my mood. Probably, I sounded quite desperate, so she was very satisfied. I told her that I already pleaded for a delay unsuccessfully, but if she called any of the judges on behalf of judge Bishop and ask for a delay, no judge would refuse. She promised to do so and to call me back to inform about the delay but she never did.

Yet another attempt to check my mood: a phone call after 10 p.m. that day when I was already asleep. Someone who presented himself as Dr. McKinnon from Physics Department told my wife that it was an emergency, so she had awoken me. The caller did not convey to me anything urgent, he just asked what was new in my case and said that there was someone from the television "Fifth Estate" interested in the story, and the caller wanted me to write down the telephone number of that person. My previous experience with media was very disappointing, so I responded to the caller that if that person from television is interested, nothing prevents him to call me directly. As far as what was new, I asked the caller to give his E-mail address, so that I could mail him all the information. The caller responded that he did not have an E-mail address and that was the end of conversation.

The call was very strange: the caller claimed emergency, and nothing urgent came up; everybody at that time already knew about contempt of court accusations from my E-mail, so his question about what's new was nothing but a testing of my mood. When later during the trial I tried to subpoena Dr. McKinnon, the Friend of Court assured me that nobody under such name was found

at Concordia University. Only later I have discovered that I have misspelled his name which should be MacKinnon, and the Friend of Court used my misspelling to deprive me of a witness.

I had two agonizing days, Saturday and Sunday, August 22 and 23, 1992. I considered my life in danger, and it was necessary to decide how to defend myself.

On the one hand, I had a good formal defense because I could argue that E-mail message is not an admissible evidence, since it does not bear the signature of the sender and theoretically could be sent by anybody else who might get access to my computer account or who could very simply falsify the sender's name in the printout. I have even prepared some such examples for the hearing, one of them being a message which I have sent to myself via Universite de Montreal, and another one - a false message from Dr. Swamy which looked like a real thing. Had these arguments been accepted - the case would be thrown out of court.

Besides this purely formal defense, I have prepared a substantive defense as well. I sent court orders to come and to testify to three judges involved, Barbeau, Bishop and to former Chief Justice Gold. I would have no difficulty to establish the veracity of my E-mail message by questioning these three judges, and the truth is a good defense in contempt of court cases. (Indeed, when on February 13, 1993, I demanded the case to be heard, the other party withdrew the accusations, and this is the best proof that the accusations were without foundation). My main concern was that the judge would just ignore both defenses.

In 1992 I informed Minister of Transport of Canada, Minister of Higher Education of Quebec, MPs Sheila Feinstone and Don Boudria, granting agencies NSERC and FCAR about criminal and unethical activities at Concordia. All of them ignored this information.

My experience with the media was even worse. In March of 1992 I have approached a reporter from The Gazette C.Adolph. I showed her all the documents proving fraud and extortion at Concordia University. At the beginning she looked very impressed, made copies of the documents and promised to investigate. All of a sudden, about two weeks later, she left a message on my answering machine to the effect that she found my allegations totally unfounded, that she did not want to talk to me, and should I dare to call her, she would ask the telephone company for protection.

I was flabbergasted: if a reporter had some legitimate doubts as to validity of my accusations, she should have discussed them with me, rather than hiding from a discussion in such a ridiculous manner. There is no doubt that her actions were part of the psychiatrist's design: the more shocking and unexpected is the action, the greater is the probability that I explode.

When later on, on April 1, 1992, C.Adolph has published in The Gazette an article on me, stating that she found no proof of my allegations, and that it was I harassing everybody else, rather than vice-versa, I had no doubt that she (or her superiors) was bribed.

On the other hand, the threat made by Dr. Hogben that the whole hearing was fixed in advance and that "anything can happen in jail", made me very concerned for my life. My own experience with judges strengthened this concern that my life was in danger indeed. It was totally unthinkable for me to accept the "shut-up" money offered by Dr. Hogben on behalf of Concordia administration.

I had two reasons to believe that my life, rather than only my freedom, was in

danger. First, I had a very serious heart attack in the winter of 1991. A major coronary artery was blocked 100%. I never smoked, did not use any alcohol and was otherwise in excellent physical condition, and this was the reason why I survived. I had no doubt that this heart attack was a result of extreme psychological torture I underwent during the second half of 1990. I felt that I was being murdered, very methodically, very professionally and very legally, since there is no such crime in the Criminal Code as deliberate infliction of a heart attack.

I underwent an operation of angioplasty and recovered, but I knew that the ballooned arteries have tendency to clog up again. My very serious concern was that should his second heart attack occur in jail, it would be the last one. I suspected that the jail administration paid no attention to the health of prisoners. My present jail experience proved me right. Just this summer a prisoner, 43 years of age, had a heart attack. They kept him in jail for about 6 hours, so that when they have finally delivered him to the hospital, he was already dead.

The second grave concern of mine was the vague threat made by Dr. Hogben who said that "anything can happen in jail". From time to time, I have read in the press about highly suspicious deaths at the police stations and in jails. If the former Chief Justice Gold (he was also Concordia Chancellor at that time) could "fix" that I be sentenced to jail, he could also arrange with his police friends and/or Correctional Service friends my "accidental" death. My present jail experience proved me right here as well.

The situation was aggravated by the fact that I was 52 at that time, my wife could not provide for the family, and I had two small children: a son, 9 years old, and my daughter was only 7. Despite my first-rate research and teaching record, I was unable to find a job elsewhere though I applied to about 1000 institutions over a number of years not only in Canada or USA, but also in countries as far away as Australia and New Zealand, and I applied not just to universities but also to technical schools and private companies.

Taking into consideration that all the legal means seemed to fail, I had no choice but to resort to an illegal way of protection. I decided to take all my guns to the University, to show the guns to one of the conspirators and to tell him that, unless they leave me alone, I would have no choice but to shoot all of them dead. I also took a hammer with me in order to tell them that even if they take my guns away, I would kill them with a hammer, so they better leave me alone.

I decided to delay the final decision till Monday, August 24, 1992, to call in the morning the secretary of judge Bishop and to ask her whether she arranged the delay of the hearing. If yes, then everything was fine, nothing was to be done. If no, then to ask whether judge Bishop was coming to testify, and again, if yes, that would be an indication of some respect for the due process, and since I considered my defense perfect, I would be prepared to face the court. If judge Bishop was not coming to court to testify, that would be a clear indication that Dr. Hogben's threats are real. Even in this case I was not yet prepared to execute my plan. I appealed earlier to the university community, asking them to come to the courthouse on August 25. I was sure that if many scientists come to support me, no judge would dare to put me in jail.

In the morning of August 24, 1992, I came to my office and made a phone call to the secretary of judge Bishop. The result was worse than I expected: not only Judge Bishop was not coming, his secretary did not even bother to inform him about the subpoena. It was clear to me that lawlessness ruled in court. I noticed on my desk a copy of the document granting me \$1000 in travel expenses for my presentation in Haifa which was scheduled that day, and which I

obviously could not make. I took the document and went to the Dean's office and returned it to the budget officer. I noticed that Dean Swamy's door was closed, so I asked the officer if the Dean was in, and she said yes. Usually all the doors at the university were open. I knew from the past experience that whenever some dirty tricks were in the making, Dean Swamy was pretending being scared, hired bodyguards, kept the door of his cabinet locked, etc. (At my trial, Dr. Swamy has admitted that I never threatened him). For me, closed door of Dean Swamy's cabinet was a clear indication that some dirty tricks were in the making again, and I have decided that I had no choice but to implement my plan.

I went home, took guns, ammunition and hammer and returned back to the university. I was still very reluctant to implement the plan. I tried once again to check my computer account if there were any support messages coming from colleagues. There were none. Computer still keeps the login time at 1.34 p.m.

Since for me Dean Swamy's hiding was an ominous sign, I decided to check again if his door was still closed. I passed through the Dean's office. The door was closed, Swamy was in. At the exit I was stopped by a secretary who asked me to identify myself. I never was stopped before and I did not see anyone else being stopped, so this confirmed to me that the Dean was playing his usual game, telling his secretaries that I wanted to kill him (some secretaries confirmed this at the trial). I have identified myself to the secretary but my feeling of anger has increased. I went to my office to think again whether to proceed with the plan. I was desperately trying to find the reason why not to proceed with my plan but could not find any.

I knew that all Canadians are taught that if someone points a gun at you, you should cooperate. Taken this for granted, I could not possibly imagine that my plan might turn into a violent shooting, but regretfully, it did. Here is how it happened. I phoned Dr. Hogben and invited him to come over to discuss the situation. Dr. Hogben was reluctant to come, but at the end agreed. Almost immediately after that, Dr. MacKay appeared, clearly, he was sent to check my mood and to see whether it would be dangerous for Dr. Hogben to come. The pretext of his arrival was ridiculous: he planned to file some kind of complaint against Dr. Osman, who had no dealings with Dr. MacKay. It was Dr. MacKay who informed me about resignation of Mr. Gervais from his position of the Chair of the Board of Governors of Concordia University. How would he know that, unless Mr. Gervais, who understood the dangerousness of the plot and who was concerned that I might try to kill him, asked Dr. MacKay to inform me about his resignation?

I asked Dr. MacKay to come next day to court to testify on my behalf, but Dr. MacKay refused. So, I told him to get out of my office. Probably, Dr. MacKay concluded that it was safe for Dr. Hogben to come. I met Dr. Hogben in the corridor and showed him to the office. I pleaded with Dr. Hogben for about 20 minutes. I told Dr. Hogben that it was Dr. Hogben's duty, as the Union President, to defend me against Administration, that I had a wife and two small children, that I was 52 years old and had no way to provide for my family, should I lose my job, etc. Dr. Hogben could not care less about his duties or about me and my children.

He stated again that he negotiated a very good deal for me and that the only alternative is going to court and facing the contempt of court charges and it might end badly. Here I mentioned that I called Palais de Justice, and that I was told that it was another judge Rouleau, not Chaloux, who was assigned to hear the case. This was not a surprise for Dr. Hogben. He explained that judge Chaloux could not be assigned directly to hear the case since he was from the Criminal Division, while the case belonged to the Practice Division. The arrangement, according to Dr. Hogben, was that on the day of hearing judge

Rouveau would call in sick, and in the whole courthouse there would be no other judge available but judge Chaloux. How on earth could he possibly know all these details unless someone very qualified has informed him? And who this someone could be but Concordia Chancellor Gold? Even if I had a slightest doubt about the hearing being fixed, they disappeared with this explanation of Dr. Hogben.

At this point I decided that I had no choice but to execute my plan. Dr. Hogben in the meantime probably noticed some change in the expression of my face and might have misinterpreted it as fear, because he decided to "go for a kill". He said: "Now you have two options: to go to court or to accept a good deal. Tell me quickly what it would be because I have to go". To this I responded: "Now you have a choice: to be dead or to find a third option, and you tell me quickly what it would be". And with these words I pulled out a revolver and pointed it at Dr. Hogben. I was absolutely sure that Dr. Hogben would choose to cooperate and that I would be able to finally resolve all the problems in a peaceful and satisfactory manner. Regretfully, this did not happen. Although facing a fully loaded revolver (in a revolver bullets are visible), Dr. Hogben did not take it seriously. For some unknown reasons, he was absolutely sure that I under no circumstances would pull the trigger. He said: "This is exactly what we wanted you to do, and now we can put you in jail not for one year but for good". After that he stood up and moved towards the door. And this is where I lost it and started shooting.

Dr. Hogben was not surprised at all when he saw the revolver. Someone has prepared him for the situation, and this someone has managed to convince him that there was no way I would shoot. Thus, Dr. Hogben was deliberately and maliciously sacrificed, as were the other victims of shooting, by the conspirators. The Defendants should be held responsible for their deliberate and malicious actions.

Dr. Hogben effectively admitted that he was a part of conspiracy to push me over the edge. Numerous additional facts came to the fore during the trial and from the events which followed the trial.

First, police had planted and falsified evidence. They took my revolver and shot into the wall of my office. I know that I used only three bullets, the fourth was shot by the police. All the witnesses also testified that they heard only three shots. Even the yellow journalists claim that there were three shots fired. At the trial police presented evidence that four shots were fired in my office, one directly in the wall. I did not make that shot.

Then police fired three shots from another gun in the corridor leading to the Chairman's office. They did it in such a stupid manner that none of the bullets could wound the secretary in the thigh: they were all too high. One of the bullets entered the wall near a door at the height of about 1.5 m. It was recovered near the floor. No attempt was made to recover it at the point of entrance. How could a technician possibly know that the bullet was near the floor unless he was present during the shooting and heard the bullet click near the floor? I know I did shoot in the direction of a secretary three times but I did not shoot in that corridor. Here is a quote from the transcript of March 22 which describes the height of the bullets as follows:

Q. Now, what is the height of this bullet from the floor?

A. A hundred and thirty-one point forty-four (131.44) centimeters.

.....

Q. Now, let us look at picture 41.

Q. We have here two bullets...

Q. ...what is the height of those bullets?

A. A hundred and eight point fifty-eight (108.58) millimeters.

A. Centimeters, I'm sorry.

Q. Okay. And the upper bullet?

Q. That's about a meter fifty (1.50).

There is no doubt that all three bullets were not shot by me.

The most monumental fabrication though is the planting of a letter on the body of Dr. Hogben. The letter is addressed to me and is saying that I should not come to CUFA office without an appointment, and that I could get an appointment only by writing to Dr. Hogben and explaining to him why this appointment was necessary.

Prosecution (and media) tried to implant in the people's minds the idea that I was so quarrelsome and crazy that I could shoot somebody just because I did not like the contents of a letter. But the facts and material evidence prove beyond reasonable doubt that all this is nothing but a fabrication.

Here are the facts. The letter on the photo is neatly folded and is being held between three open fingers and the body lying on the back. Witness for the prosecution, who saw the body immediately after the shooting, testified that Dr. Hogben was lying face down, no letter was noticed. Can you imagine someone shot in the back, chest and head, falling on the floor and managing nevertheless to keep neatly folded letter, not in clinched fist, but just between three open fingers and body? If I was given this letter, then there must be my fingerprints. I asked the police investigator Hebert why he did not examine the letter for fingerprints, and he did not give any sensible explanation. I insisted during the trial that such examination be done, but judge Martin refused my request.

Yet another evidence that the letter was planted came from another prosecution witness: a CUFA secretary testified that in the morning of the same day, August 24, 1992, Dr. Hogben told her that if she saw me from a distance, she should immediately leave CUFA office and quickly drive home. When she tried to get some explanation from Dr. Hogben, he told her that he was in a hurry and hanged up on her. This testimony proves two things. First, obviously Dr. Hogben knew more than he was ready to say. Second, assume that he sincerely felt that I was dangerous to CUFA secretary, who never had any problem with me, then I must be so dangerous to Dr. Hogben, that he should not only run out of his office, but rather out of town.

Instead, Dr. Hogben decides to go to my office and to hand me this letter. Why would he do that? The letter did not contain anything important or urgent, it could be sent by internal mail, it could be just put in my mailbox in the Department, it could even be served by a bailiff. There are so many ways to deliver a letter safely and quickly. The whole thing just does not make sense.

Everything fits the picture though if my version is accepted to be true. The only reason why Dr. Hogben told the CUFA secretary to run away at the mere sight of me, was spreading the defaming information about me. Dr. Hogben knew very well that the secretary would tell about it to everyone she knew. This way the public opinion would be convinced of my dangerousness and would not object to my jailing or even possible "accidental death". Nobody cares about bad people.

If Dr. Hogben really believed that I was so dangerous, he would not go himself to the meeting. Clearly, he played some dishonorable game. Yet another corroborating evidence comes from his wife who told the police that she had received a phone call from Dr. Hogben in the afternoon of August 24, 1992, probably, immediately after I called him. Dr. Hogben told his wife: "All is breaking-out in the Fabrikant's case today". It looks like he misunderstood

my call as the sign of surrender.

Now is the time to ask a question: why did the police need to plant and falsify evidence, when I did not deny what I did ? There exists a misconception that police plant evidence in order to have Defendant convicted. This is just not so: for example, they obviously framed O.J.Simpson (not a single idiot would loose a glove at the crime scene and then loose another one at his estate), but they did not frame him to have him convicted. The evidence against Simpson was so overwhelming that the only way to save him was to frame him, and they did. Nobody is saying it publicly, but this is what it is. In addition, the prosecution also in public was bickering with defense for every little detail, but in reality, did its best to have him acquitted: they made trial in L.A. where the jury would be mostly black instead of Brentwood, where the jury would be white, they played the Fuhrman card, they initiated the glove trial, etc. It was reported that prosecutor Darden has changed his profession and became an actor. For God's sake, he has always been an actor!

In my case, the police planted evidence, because the authorities wanted me insane, since an insane person's actions do not need to be explained, while when a sane person does what I did, serious questions need to be answered as to why did this happen and who else is responsible, and this is the question which the authorities want to avoid at any cost. The purpose of falsifying evidence was, probably, as follows: my lawyer would advance the insanity defense, then he would call me to testify, and I would quite sincerely deny that I was shooting in the wall of my office, that I was shooting in that corridor, etc., and the jury would see that I am quite sincere, and then the lawyer would tell them that it is clear that I was insane, since I can not remember obvious things, and he would win the insanity verdict.

When I fired the lawyers who wanted to plead insanity, the Crown wanted it so badly that they had offered me to accept the "not guilty by the reason of insanity" plea even without going to trial. Should I have accepted the offer, Concordia University would not be able to fire me and would continue paying my family for as long as I were in a mental institution, and should I be released, Concordia University would have to rehire me. For the sake of my family, I did consider this offer seriously, and should my wife insisted, I would have accepted it. She did not, and I am very proud of her.

Two more facts corroborate my claim that the Concordia University officials understood that they might and should be held responsible: 1)Concordia University continued to pay my salary for two weeks after the shooting; 2)My wife had received a letter from Vice-Rector Sheinin; it was addressed to me and dated four days after the shooting, August 28, 1992. In this letter Vice-Rector Sheinin wrote to me, as if nothing happened, that she received my previous letter and that she was going to respond as soon as possible. She was sending clear signals: "Let us make a deal". Why would she do that unless she felt herself responsible for the lost lives ?

I was offered "insanity" yet again under the following circumstances. In May of 1993, my wife has received a phone call from Professor Antippa. He had been waging a war against Dr. Leblank, who is equivalent of Sankars or Swamy at Universite de Quebec in Trois-Rivieres. He told me that he wanted to help me in my defense as an expert witness, and I accepted. He did not do any valid job as an expert witness.

He came to see me on June 1, 1993, and made me an amazing offer: all I had to do was to finish with witnesses myself, and then to surrender my defense to a lawyer, who would finish the defense, and I would just sit back and relax. It was my understanding that this lawyer would advance the insanity defense. In exchange, Mr. Antippa told me, on behalf of Concordia University, that they

would give me \$230,000, (Mr. Antippa specified it as \$200,000 which were originally offered to me plus \$30,000 as interest), my family would continue receiving my salary, and upon my release from Pinel, I would be able to continue teaching at Concordia.

I refused the offer, and immediately after that, Mr. Antippa's interest in me started evaporating, and now he does not even respond to my letters. Clearly, he was hired for this particular mission which failed, and all his expressions of support was just a fake and disguise. Now, a good question to ask is: who has hired Mr. Antippa to do his job? Mr. Antippa is just one of so many individuals who approached me during the past years. Somebody is finding, hiring and paying them. Why?

Rector Kenniff told the journalists that as soon as he had heard about the shooting at Concordia, he understood immediately that it was I shooting. Dr. Saber's wife, who was on the telephone with her husband at that time, told the police that as soon as she heard shots, she also understood that it was I, though she also said that I had never threatened her husband. Unless these people were aware of dangerous games played with me, how could they possibly know who was shooting?

This is what I have written in my criminal appeal presentation in 1995:

It is well known by now that the top administrators and three professors, who I accused of being crooks, were fired. Why was this done? If one looks at the published reports, none of them was blamed very much of anything. Kenniff made some small oversights, but they were easily understood. Sheinin was the only one who actively tried to have me fired, she should get medal for that, instead she was sacked.

The three professors did not do much wrong. They manipulated some funds but there is really no evidence of any gross misconduct. One contributed \$15,000 from wrong fund, but it was for a good cause, he did not put it in his pocket. Besides, they were victims of Fabrikant sting. There is no provision in the Concordia Collective Agreement which would justify their firing. Swamy was practically reproached nothing, except for submitting twice a restaurant bill for reimbursement. But you do not fire a prominent scientist, Fellow of numerous International Learned Societies, who also suffered from Fabrikant's sting operation, just like that. Acting Rector told them that they had 6 hours to resign or they would be fired, and they did. Why?

Was this all done just to please convicted murderer Fabrikant?

Quote from one article: "This year, he [T.S. Sankar] said, the three [professors] were targeted". There is no doubt about it. No one in his right mind would think that there are only three crooks in the University. The Forensic Audit Report admits that they received information about financial improprieties allegedly committed by other professors, but none of these accusations was proven true. Amazingly talented Fabrikant: he pointed out the only crooks in the University, and he did it free of charge, as compared with hundreds of thousand of dollars spent on the Audit!

The Board of Governors played just a trick with firing of Kenniff. He was fired brutally in total illegality, without even appearance of due process of hearing, by "a gang of four", who had no legal authority to do what they did. Did they do it to harm Kenniff? On the contrary, they did it to save him (and other professors fired), because the real reason for their firing is their criminal negligence which has resulted

in four lives lost, and there is no way anyone is prepared to admit it publicly.

Assume that you have a one year contract, after which you have already decided to resign. In addition, you have \$300,000 debt, which you have to repay. Now, someone comes to you and makes you an offer: you will get fired, paid your one year salary, and in addition, you do not have to repay your \$300,000 debt. Would not you grab the offer ? This is exactly what happened to Kenniff.

The latest events proved me right here as well. Concordia University started quietly, little by little, bringing fired professors back. First, Natural Sciences and Engineering Research Council (NSERC) commissioned a new audit of the research accounts of brothers Sankar and Swamy. I have received a report of this audit from NSERC. It was not signed by anyone, clearly, the person who did the "audit" did not want to attach his/her name to it. The audit was done in a very peculiar manner: the auditor took the transactions for verification AT RANDOM ! The official purpose of the audit was to verify the findings of the previous audit made by Levi. Elementary logic dictates that if you want to verify Levi's results, then you take those transactions, singled out by Levi, and check them again. By taking transactions at random, you most probably will miss them. I have read the whole report, and there is no specifics there, no reference to any of Levi's findings. For example, Levi reproached to T.S. Sankar illegal expense of about \$8,000 for a pleasure trip of his relative. There is no mentioning of this or any other Levi's finding in the NSERC report. All three were exonerated, and all three got their grants back, so they can continue exploiting scientific slaves who would write scientific papers for them, at the taxpayer's expense, of course.

Assume, for the sake of argument, that Levi was wrong and NSERC audit was correct. Should not all three be reinstated immediately? Over a year has passed since publication of the NSERC report, but all three are officially still in retirement. All-knowing Mr. Segal though told me that at a recent closed meeting of the Senate, present Rector has apologized before Swamy and said that Swamy will be rehired since January 1997. Why such a delay? Why not to apologize before Sankars too? They were similarly exonerated over a year ago. Mr. Segal told me that a motion was introduced by Professor McQueen to rehire Sankars and that this motion will be considered in January. Why such a delay? I do not ask any more, how Mr. Segal knows all this. I do though hope that one day all these questions will be answered and all the details of this dirty spectacle will be clarified.

There is an even stronger evidence that some people in very high positions direct all activities related to me. There is no other way to explain why the media published so much lie about me and never published the most fundamental truth: that I resorted to guns on August 24, 1992, not because of stolen intellectual property, not because of stalled promotion or loss of job, but because of contempt of court accusation, which was scheduled to be adjudicated the next day, August 25, 1992. Not a single newspaper, radio or television ever mentioned this obvious fact, which I stated on several occasions in court. All of them write that I killed four people just in order to attract attention to my dispute with Concordia University. A very strange way to attract attention, indeed !

Recently CBC "Witness" aired their production about me. They presented a nutty professor who mumbles all the time something about honesty, and then, without any reason, goes completely nuts and shoots to death four innocent professors. Nothing could be further from truth, and the journalists from CBC are not that stupid not to understand it. Some of the testimony there is obviously false. Here is an example. Mr. Haines tells there that I informed him that I planned a sting operation against honest professors. Even if I

did plan a sting operation, Mr. Haines would be the last person I would tell such a thing. Clearly, the reporters have got an assignment: to present me insane. Of course, it is so much more convenient to consider me insane!

But the king of lie is of course The Gazette. The lie which they published in "Fabrikant Files" is so obvious on its face, that there is no way to claim that they made honest mistakes. Somebody allocated huge amount of money just for the advertising. Every radio and TV advertised these "Fabrikant Files" in August of 1993. In order to boost the credibility of this nonsense, the authors were even awarded a prize for best investigative reporting. The people who made the award could not possibly miss that the fundamentals of professionalism were breached: there is no interview with the most important people in the story, like my first wife, my brother, my thesis supervisor, my colleagues and students in Rybinsk and Ulyanovsk, etc. This is not an oversight. They knew that these people would not provide them with the damaging information they were looking for. Even assuming that I did attack and tried to club Sheinberg with a chair (which I did not), it should be Sheinberg confirming this fact, and not an anonymous "legend"; in a similar vein, my complaint against Dr. Osokina should be confirmed by Dr. Osokina, not by Mr. Liakishev, etc. All this is fundamental to professional journalism, and breach of these fundamental principles is not an accidental oversight by the authors of "Fabrikant Files" or by the people who awarded them prizes in journalism.

End of quote.

I reproduce below the article from The Gazette, 6.11.96. Lisa Fitterman. "Fabrikant appeals lawsuit decision". Compare it with the text of my court submission presented above.

Valery Fabrikant, convicted in 1993 of the murders of four of his colleagues at Concordia University, yesterday filed a chilling description in the Court of Appeal of how one of his victims died on Aug.24, 1992.

Fabrikant, a former engineering professor, was appealing a lower court decision to dismiss a lawsuit he had filed against Concordia, in which he was asking for \$900,000 in damages because he claimed the university was equally responsible for the deaths of Matthew Douglass, Jaan Saber, Phoivos Ziogas and Michael Hogben.

In the document, Fabrikant describes how he invited Hogben, the faculty association president, into his office at around 3 p.m. to discuss a contempt of court citation he was facing.

Hogben pulled out a letter of reprimand from his jacket pocket. Fabrikant says in the document he been taught that in Canada, when somebody points a gun at you, you cooperate. "I told him, 'Now you have a choice: to be dead or to find a third option, and you tell me quickly, what it would be'. And with these words, I pulled out a revolver and pointed it at Dr. Hogben.," the document states. "I was absolutely sure that Dr. Hogben would choose to co-operate and that I would be able to resolve the problem in a peaceful and satisfactory manner.

Reader of the above paragraph might think that I confirmed existence of Hogben's letter. Not only I did not, but I have given ample evidence that it was planted after the shooting. The article deliberately create the impression that the shooting took place because of the letter.

"Regretfully, this did not happen," it continues. "Although facing a fully loaded revolver ... Dr. Hogben did not take it seriously. For some unknown reason, he was absolutely sure that I under no circumstances

would pull the trigger."

The university lawyer, Allan Hilton, told the Appeal Court panel that the murderer was trying to do in this case what he had been prevented from doing in his criminal trial - namely, show that Concordia had provoked killings and was therefore partly responsible.

He said it would be a mockery of the judicial system to allow him to do so.

The Appeal Court has taken the matter under advisement and gave no indication when it would render a decision.

End of quote.

Not a single word about Dr. Hogben's blackmail which prompted the shooting.

I repeat once again: not a single innocent person was hurt by me. The Gazette claims that I did not know Dr. Douglass. I knew him very well. He used to come to my office to tell me various bad things about Dean Swamy. At the beginning I thought of him as my supporter. Only later I realized that he was Swamy's best friend, and he did come to my office to test me and then to report back to Swamy. It was not just a coincidence that he was with Swamy on August 24, 1992: they were celebrating yet another victory over Fabrikant.

#### E-MAIL MESSAGES IN FABRIKANT FILE

>Alexander Anger, Hewlett-Packard, Santa Rosa, California. "... Although  
>interesting in their own right as intellectual tomes, the description of  
>the problems (in Fabrikant's scientific papers) leaves one wondering if  
>any mechanical engineer who ever built a real structure could make use  
>of them."

The reader does not know, who Anger is. Hewlett-Packard is a respectable company, so one might assume that Anger is quite qualified to judge my work. I did check, who he is. First of all, he is not a specialist in mechanical engineering, as a matter of fact, he is not a big specialist in anything: I have found in several years only one 1-page article in the journal "Microwave". And this individual is presented to public as someone qualified!

>Joseph Merola, Virginia Tech. "As a matter of fact, single-author papers  
>in experimental area sometimes evoke the comment: 'Can't the person get  
>along with anybody?'"

The phrase itself is a total nonsense: if one can produce meaningful result, without need of co-authors, good for him. He might be in excellent relationship with his technicians, but the work of a technician is not a scientific contribution, and a technician is usually not a co-author. I repeat, "co-authors" are usually the supervisors, who have nothing to do with the article.

Now, how is it applicable in my case? Assume, that the phrase does make sense. Are my articles in experimental area? The answer is NO! I have not published a single experimental article in my entire life. And who is Merola, is he a specialist in mechanical engineering? No, he is a chemist. So, why is this quotation? To prove the point: my single-author articles prove that I can not get along with anyone. Nothing is too low for the yellow journalists.

All my quotation are taken out of context.

Not only The Gazette never informed its readers that Cowan report has cleared me from all accusations of falsification of my credentials, it continued write that I falsified my qualifications, it even implied that Cowan's report confirmed this accusation. Here are some of quotations.

The Gazette, 22.04.94, page A4, J. Kalbfleisch: "Fabrikant lied about his academic qualifications." The same quote on 15.05.94, page A3.

Editorial of 18.05.94, page B2: "The enquiry on Mr. Fabrikant employment record ... was set up to examine flaws in a system that allowed him to lie his way into a university job. "

The Gazette, 27.05.94, C. Adolph, page A2: "Fabrikant ... killed four colleagues ... to draw attention to his disputes with the university." Word of Kenniff firing came after two closed sessions of the Board of Governors. The content of the governors' discussions is still secret, but those who attended the meeting said the atmosphere within was heated, raucous and "very strange".

A strange method to attract attention by killing four people; only sick and vicious mind of the yellow journalists can invent such a monstrosity. Ask yourself, why would the Board of Governors' meeting be closed, "heated and raucous"? The Cowan report did not reproach to Kenniff much at all. Did the Board have another, secret report to discuss - the one which confirms my claim that the murders were premeditated indeed by Kenniff and company?

The Gazette, 31.05.94, C. Adolph, page A1: "Valery Fabrikant remained at Concordia University despite a phony resume and a long history of abusive behavior because of a serious of bureaucratic gaffes and lapses of leadership, an independent investigator has found." "He (Cowan) mentions that university administrators "caved in" and agreed to pay for an \$8,000 computer printer Fabrikant has ordered without approval".

I repeat, Cowan found that my resume was not phony at all. The university did not pay for the printer, I did. The purchase was approved, otherwise I would not be able even to order it.

The Gazette, 1.06.94, C. Adolph and P. Wells, page A2: Cowan: "I don't know the details of the conflict between Kenniff and board of governors" Should those details be made public? "In this instance, probably not".

Should not we demand that these "details" be made public? Honest things should be made in the open.

The Gazette, 3.06.94, J. Sheppard, (Canadian Press) page A4: "The report said Fabrikant falsified his academic credentials".

The Gazette, 9.06.94, editorial, page B2: "... administrators ... did not even check out Mr. Fabrikant's misleading curriculum vitae. They even gave him tenure, despite his record of abusing colleagues ..."

The Gazette, 9.06.94, J. Kalbfleisch, page A1: "Cowan identified a series of administrative gaffes over several years that allowed Fabrikant ... to stay on at the university despite his disruptive behavior and dubious academic credentials".

The Gazette, 18.06.94, Review, page B1: "... Cowan report identifies administrative mistakes over several years that allowed Fabrikant to stay on at Concordia despite his behavior and questionable academic background".

Not only Cowan confirmed my credentials, he also found that I was right in all my grievances.

Other newspapers did more or less the same, as The Gazette :

La Presse, 28.05.94, Andre Noel, page A9: "Valery Fabrikant est ce professeur de genie qui a tue quatre collegues sur le campus de l'universite, en aout 1992, pour attirer l'attention sur la fraude dont il se pretendait victime".

Translation: Valery Fabrikant is that engineering professor who killed four colleagues at the university in August of 1992 to attract attention to the fraud of which he claimed to be the victim.

#### READERS' REACTION TO "FABRIKANT FILE"

Reaction varies from total acceptance to significant criticism of obvious inconsistencies. Here is an example total acceptance.

Newsgroups: sci.research.careers  
Path:  
newsflash.concordia.ca!utcsri!utnut!torn!watserv2.uwaterloo.ca!watmath!undergrad.math.uwaterloo.ca!neumann.uwaterloo.ca!alopez-o  
From: alopez-o@neumann.uwaterloo.ca (Alex Lopez-Ortiz)  
Subject: Re: Fabrikant Files  
Message-ID: <CBwwIn.3HE@undergrad.math.uwaterloo.ca>  
Sender: news@undergrad.math.uwaterloo.ca  
Organization: University of Waterloo  
References: <165302Z15081993@anon.penet.fi>  
Date: Tue, 17 Aug 1993 16:30:23 GMT

After the publication of "The Fabrikant Files" I cannot see how anybody could still give Fabrikant the benefit of the doubt. Am I correct to assume that some of the people defending him haven't read said files? (published by the Montreal newspaper Gazette).

Alex  
End of quote.

And here is the most critical reaction:

Path:newsflash.concordia.ca!sifon!mcrcim.mcgill.edu!bloom-beacon.mit.edu!gatech!usenet.ins.cwru.edu!agate!dog.ee.lbl.gov!spindle.ee.lbl.gov!veklerov  
From: veklerov@spindle.ee.lbl.gov (eugene veklerov)  
Newsgroups: sci.research.careers  
Subject: Re: Fabrikant's allegations may well have merit  
Date: 25 Aug 1993 23:39:08 GMT  
Organization: Lawrence Berkeley Laboratory  
Lines: 151  
Message-ID: <33404@dog.ee.lbl.gov>  
References: <53693@sdcc12.ucsd.edu>  
Reply-To: veklerov@spindle.ee.lbl.gov (eugene veklerov)  
NNTP-Posting-Host: 128.3.112.82  
Keywords: Fabrikant, Montreal Gazette

I have been puzzled by the Fabrikant case since I learned about it. On the one hand, he seems to be an unsympathetic and anti-social person who became violent and committed a gruesome crime.

On the other hand, he was not an ordinary criminal. According to his Concordia file:

"Dr. Fabrikant is a well-established scientist with an international reputation. His research record is very strong and goes back over 20 years. (...) The scope of his research is astounding." (In Engineering and Computer Science Faculty Pers. Committee, 12 March 1990).

Yet, his complaints about malfeasance were dismissed by Concordia, at least I have not seen any substantive response on usenet. Now, we are told there was an article in the Montreal Gazette that shows that his complaints were groundless.

However, I find the Gazette's article itself so full of absurd and inconsistent statements that it only raises questions about the journalistic integrity of its author in my mind. Let me list some of them.

1. Here is a minor one, but it is rather typical of the article's style: At first his actions appeared simply annoying and could be attributed to the eccentricities of a slightly obsessive professor. For example, after signing up for French classes in 1981, Fabrikant denounced the teacher because she smoked in class. He wrote to the university administration demanding that she be fired.

I do not know about Canada, but in the US most of the students would do the same as what Fabrikant did. In fact, I am pretty sure that in California, a teacher who smokes in class would be fired immediately.

2. I'll skip the distasteful accusations that Fabrikant wanted to have children and that he insisted on receiving his father's inheritance. They only succeed in making the article look very biased, since those are very natural things to do.

3. Let us go to more serious points.

From 1982 to 1989, Fabrikant published 56 papers. In 37 papers he was the only author. This low level of collaboration is unusual in engineering, where a collaboration of varied expertise is needed and expected, all engineering experts contacted by The Gazette said.

It is true that the average number of co-authors in engineering papers is greater than, say, in philosophy. Yet, I know respected professors of engineering at Berkeley who publish most of their papers without co-authors and nobody questions their professional standing or social skills on the basis of the number of coauthors.

So, why was this mentioned at all? The only hypothesis that comes to mind that it was a clumsy attempt to counter Fabrikant's charge that his boss added his name to his papers without contributing anything. What is really needed here is not a speculation but a direct and specific description of what the person in question contributed to those papers. At least that is what I would do if I were accused of the same thing on usenet.

4. Here is a gem:

"His first book didn't disgrace itself" said Kluwer Academic president David Larner [...] "The second one has sold less well, We've still got plenty in our warehouse" Larner rejected Fabrikant's proposal for a third book in 1992.

A publisher has only one criterion: profit. But fortunately, scholarly books are judged on the basis of other criteria. So why did the Gazette ask a publisher rather than an expert? The only other opinions about his books that I found were these two:

Fabrikant later published two monograph books, which were compilations of his own previously published work.

Fabrikant often boasted that his first book, published in 1989, would be a classic. Ditto for his second book, published in 1991.

But scientists do not write books from scratch, they do liberally include their own previously published papers. And show me an author who does not boast about his books.

5. It was repeated several times that Fabrikant could not teach advanced courses. It is unclear whether that statement means that he could not teach some courses or any courses. First, nobody can teach all advanced courses but everyone is expected to teach some of them. Hence, the accusation probably means that he could not teach any advanced courses. But wait a second! What were his articles and books all about then? And if they were not within ANY sub-field of mechanical engineering, why did his boss co-author them?

6. Finally, we come to the main accusation: Fabrikant did not really work in mechanical engineering and he lied about his Russian degree. I hope I can clarify a few things here, as I got my degree in Russia too. My explanation will be rather long, but that's the nature of the question. First, there are no "Ph.D", "M.S." or "B.S." degrees in Russia. There are other degrees with strange-sounding names. In other words, we cannot talk about the same degrees, but rather equivalent ones. Roughly speaking, the Russian degree "candidate of sciences" is equivalent to Ph.D., although of course, different universities and different fields may vary. A "candidate of sciences" degree requires a few (normally at least 3) papers published prior to the dissertation. Needless to say that the quality of published papers may vary but that is the case in any country. But most of the experts agree that a "candidate of sciences" is equivalent to Ph.D., although it is an opinion of people familiar with the two systems of education rather than a regulation established by any official body.

It gets even messier when it comes to the field of study. The Russian "candidate of sciences" degree is awarded in a broad area. Here are 2 examples of such areas: "engineering sciences" and "physical and mathematical sciences". The former encompasses mechanical, electrical, industrial, computer and any type of engineering. The latter includes even a few areas outside physics and mathematics.

Now, in addition to the field, your dissertation must specify a sub-field. This subfield is much more narrow than what is covered by a US university department. Examples of sub-fields are "engineering cybernetics", "theoretical cybernetics", "algebra", etc.

In other words, there is no such thing as "mechanical engineering" as a field of study as far as the degrees are concerned. On top of that, the fields and sub-fields overlap, as they do in the West. Just look at IEEE Transactions on Information Theory, Reliability, Neural Networks or Medical Imaging. Many of the papers published there might be published in journals devoted to mathematics, statistics, or radiology.

So, did Fabrikant lie about his degree? I doubt it. Most likely, he did

his best when he tried to find an equivalent degree, because you cannot simply translate its name. What is more important than the name of the degree is the name of the advisor. I understand from the Gazette's article that Fabrikant's adviser was one Bolotin who was known and respected by Fabrikant's boss at Concordia. It really sounds funny that after 12 years they "uncovered Fabrikant as a fraud".

Finally, I fail to draw a mental image of Fabrikant. Most likely, he is an unpleasant person I would try to avoid. But when I read this sentence from the Gazette's article:

Fabrikant paced up and down the apartment that night with a blank, fixed gaze, mumbling: "My life is finished, my life is finished.

I can imagine a cornered animal. Fabrikant got his punishment. He is a threat to the society. But that does not mean that his charges were groundless or that Concordia did not create a climate that made Fabrikant feel like a cornered animal and thereby caused the tragedy.

Eugene Veklerov

Disclaimer:

This article may contain opinions which are not shared by my employer.

End of quote.

What is interesting in Dr. Veklerov's opinion, is the fact that, though he understood all the absurd of The Gazette's accusations of my scientific incompetency etc., he clearly believed all the other lies that I abused and threatened everybody, because he wrote: "he seems to be an unsympathetic and anti-social person". This is the power of the media: a normal human being refuses to believe that the media can be so deceptive.

Do I sincerely believe that a canadian judge can render justice in this case? Absolutely not. So, why did I start the lawsuit in the first place? Because I am profoundly affected by each new case, reported in the news, and which has the same roots as mine. Here is the latest. March 6, 1998, Newington, Connecticut, employee of the state lottery Beck killed 4 top managers and after that killed himself with a pistol Beretta. He allegedly filed a job related grievance last August. The carnage continues, even the pistol make is the same. All these murders were not only preventable, they were, in fact, invited. Is not it about time for some people to learn proper lessons? This will never happen, unless public is informed about real circumstances of each case. This is exactly what I am trying to do, since the yellow journalists spend all their energy to deceive the public.

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