

May 11, 2007

Matthew C. Blank
Showtime Networks, Inc.
1633 Broadway
New York, NY 10019

Dear Mr. Blank:

Next week Showtime will air an independent film titled *Flock of Dodos* (the “Film”). *Flock of Dodos* is directed and narrated by Randy Olson, produced by Shifting Baseline Productions¹ and Prairie Starfish Productions,² and distributed by Shifting Baselines¹ and Cosmic Films.² This letter is to inform individuals and organizations affiliated with Showtime that the Film contains numerous false and potentially defamatory statements about Jonathan Wells and Discovery Institute. In fact, parts of the film are for all practical purposes a hoax—they present a heavily fictionalized version of the historical record.

Let me make very clear that Discovery Institute does not favor censorship and in no way are we asking that you cancel the scheduled airing of the Film. We think that the issues raised in the Film are important and that a civil debate about the scientific merits of intelligent design would be welcome. However, to have a serious discussion all of the facts need to be disclosed, and accuracy and honesty need to be adhered to, above all. As will be detailed in this letter, Olson’s film does not meet these standards. Further documentation is enclosed, including actual pages from modern biology textbooks that Olson asserts do not exist.

False Statements in *Flock of Dodos* regarding Jonathan Wells, Ph.D.

Jonathan Wells is a Senior Fellow of the Discovery Institute who holds a Ph.D. in Molecular and Cell Biology from the University of California at Berkeley, and a Ph.D. in Religious Studies from Yale. In 2000, Dr. Wells authored a book titled *Icons of Evolution*³ critiquing the coverage of Darwinian evolution in modern biology textbooks. The Film alleges that Jonathan Wells lied in his book *Icons of Evolution* when he showed that drawings derived from bogus illustrations made by the embryologist Ernst Haeckel (herein “the embryo drawings”) have been reprinted repeatedly in modern biology textbooks as evidence for evolution. Haeckel’s embryo drawings are widely regarded as fraudulent by the scientific community because they overstate the real similarities between vertebrate embryos. Olson concedes that the drawings are bogus, but he asserts in the Film that “You don’t find them” in modern textbooks, and also claims they have not been found in textbooks since 1914. Olson plainly aims to defame Dr. Wells and his professional integrity by depicting him as making false statements in the area of his expertise. Indeed, at one point the Film maliciously compares to Dr. Wells’ claims to those made by a tabloid newspaper.

¹ <http://www.imdb.com/title/tt0800334/combined>

² Robert W. Butler, “A big to-do over Kansas ‘Dodos,’” *Kansas City Star*, July 23, 2006, <http://www.kansascity.com/mld/kansascity/entertainment/movies/15085746.htm>

³ Jonathan Wells, *Icons of Evolution* (Regnery, 2000).

However, Olson's assertion that these embryo drawings have not been used in modern textbooks is absolutely false. What is more, he knows this fact.

Olson claims that he “read *Icons of Evolution*,” yet *Icons of Evolution* provides ample documentation of modern textbooks containing the bogus embryo drawings.⁴ If this were not enough, after Olson began preliminary screenings of the initial cut of his film (and we became aware of his false statements), we made repeated efforts to provide him with accurate information. On April 6, 2006, during a public discussion at Scripps Institution for Oceanography, Discovery Institute staff member Casey Luskin showed Olson various modern textbooks that reprinted Haeckel-derived drawings. Olson's associate recorded video footage of this exchange. Dr. Wells also sent Randy Olson an e-mail on May 5, 2006, which documented eight modern textbooks that reprinted the bogus drawings. Finally, at a private meeting with Jonathan Wells and other Discovery Institute staff in our office before the public release of his film, Olson was confronted with a stack of biology textbooks containing the false drawings. Despite this irrefutable evidence, Olson refused to correct his film.

Ironically, when confronted about his film's misstatements on this issue before a live audience earlier this year, Olson finally grudgingly admitted that some modern textbooks have used Haeckel's drawings. But Olson still refuses to correct the Film, and more recently he has retreated to a fallback position, claiming that the textbooks simply use the drawings to give a history of biological thought. He knows this is also blatantly false: nearly all of the textbook examples we have given him use Haeckel's drawings to promote evolution in the present-day.

In sum, the claims in the Film by Randy Olson about Dr. Wells and *Icons of Evolution* regarding the embryo drawings are knowingly false, baseless—and malicious. Again, further documentation is enclosed.

False Claims in *Flock of Dodos* regarding Discovery Institute

The Film also makes false claims about Discovery Institute. The Film alleges that Discovery Institute has an annual \$5 million budget and that it devotes most of its budgetary resources to public relations rather than scientific research. Moreover, the Film wrongly implies that Discovery Institute's entire budget is devoted to the Center for Science and Culture, its intelligent design (ID) program, though Mr. Olson has been informed otherwise.

Firstly, Discovery Institute's entire budget has never even reached \$5 million, as Mr. Olson has been told. Moreover, Discovery Institute's various programs deal with many topics, such as transportation, foreign policy, communications, technology, as well as science and culture. Through 2005, annual expenditures of the Center for Science and Culture never exceeded \$2 million, and were usually far less. (Before 2000, annual expenditures for the program were less than \$1 million, and from 2000-2005 annual expenditures were less than \$1.5 million.) Budget and financial information about the Institute was publicly available through Guidestar.com at the time the Film was being produced.

⁴ Examples of modern textbooks containing Haeckel's embryo drawings cited in *Icons of Evolution*, pages 102-103, include Douglas J. Futuyma, *Evolutionary Biology* (Sinaer Associates, 1998), pg. 653; Helena Curtis & Sue Barnes, *Invitation to Biology*, pg. 405 (Worth, 1994); Bruce Alberts, Dennis Bray, Julian Lewis, Martin Raff, Keith Roberts, and James D. Watson, *Molecular Biology of the Cell*, pg. 32-33 (Garland, 1994); Peter Raven & George Johnson, *Biology*, pg. 1181 (McGraw Hill, 1999); Cecie Starr & Ralph Taggart, *Biology: The Unity and Diversity of Life*, pg. 317 (Wadsworth, 1998); James Gould & William Keeton, *Biological Science*, pg. 347 (Norton, 1996); Burton S. Guttman, *Biology*, pg. 718 (McGraw Hill, 1999).

Secondly, Discovery Institute's ID-budget is not primarily devoted to public relations, as the Film insinuates. The Research Fellowship Program has been by far the single largest program expense of Discovery Institute's Center for Science and Culture. Direct expenditures on research fellowships accounted for approximately 38% of the total expenditures of the Center from 1996 to 2005. That 38% statistic does not include expenditures which go for staff support or overhead costs (such as accounting) relating to the administration of the Research Fellowship Program. In contrast to the false claims of the Film, the focus of the Center for Science and Culture is research and scholarship, not public relations.

Because Dr. Well's reputation has been unfairly, and dishonestly, smeared we would like Randy Olson to issue an immediate and prominent retraction and correction of all of these misstatements. We realize that is unlikely to happen because he has declined to correct the record to date.

However, Showtime has a chance to showcase its integrity and commitment to public service by allowing a brief response to the Film. We request that you allow Discovery Institute thirty minutes to respond sometime in the next 90 days. Showtime's viewers deserve to hear the truth about this important issue. We also would be willing to appear on camera with Randy Olson to comment on the accuracy and fairness of his allegations against Dr. Wells and Discovery Institute.

Please advise us as to how you will handle this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruce Chapman".

Bruce Chapman
President, Discovery Institute

Cc: Michael Martin, attorney at law