

APPENDIX I

Telephone Conversation between Dr. Anthony Forrester and Dr. Alan Price, Director of the Division of Investigative Oversight, Office of Research Integrity, USDHHS:
December 12, 2002

The conversation commenced with Dr. Forrester introducing himself as the Chair of the UMDNJ Newark Campus Committee on Research Integrity, and indicating the presence of Dr. Sheila Eder, staff to the Committee.

Dr. Price, in turn, introduced Dr. John Dahlberg, the scientist who had conducted the statistical analysis as described in the ORI Report of September 5, 2002, regarding the allegation of scientific misconduct against Dr. Anupam Bishayee.

Dr. Forrester said that he had two questions for Drs. Price and Dahlberg. He directed their attention to page 17 of the Report, and read out loud the following sentence: "...given the absence of proper controls for this analysis, DIO does not find this evidence or the above inadequacies in the inquiry report sufficient to warrant further investigation in this case." He then asked for clarification of the meaning of this sentence. What would constitute proper controls?

Dr. Dahlberg replied that the statement refers to the DIO analysis of the right-hand digit in the Coulter count data. The DIO lacked a comparable amount of data from an impartial party. Furthermore, while the analysis might be reason to believe that there was bias in the data, he did not know how the numbers were generated, that is, read from the Coulter Counter or derived in some other way.

Dr. Forrester then read a second sentence from page 17: "From the available evidence, DIO cannot resolve whether the Counter counts were actually fabricated, and this issue for DIO remains unresolved." He asked for Drs. Price and Dahlberg to comment on the meaning of the sentence, and on why the issue could not be resolved.

Dr. Price responded that by their standard, there was insufficient evidence. They would have needed data from someone else or "unquestioned" data from the same person. (DIO) does not make decisions based solely on the spikes in numbers, and the physical evidence was destroyed or thrown away. The DIO, therefore, closed the case and did not ask the University to do anything further.

Dr. Dahlberg added that the underlying concern about relying on statistical evidence is that such analysis can result only in probabilities. Statistical analyses by themselves are "insufficient to prove misconduct"

Dr. Forrester thanked Dr. Price and Dr. Dahlberg, and the call was concluded.