

MOTION

Pursuant to Supreme Court Rule 37, I have tried to secure written consent for the filing of the attached *Amicus Curiae* from counsel for the Petitioners and Respondents. Although counsel for the Respondents granted such consent, counsel for the Petitioners withheld it, even though *Amicus* had been told that the Respondents have allowed almost all of the Briefs as requested by the Petitioners. Accordingly, I, Jerome B. Carr, Ph.D. Geologist Geophysicist, and Certified Professional Hydrologist, author of the Brief *Amicus Curiae*, move this court for permission to file the Brief *Amicus Curiae* which is submitted herewith. *Amicus* makes this motion on the following grounds.

Amicus Curiae, Jerome B. Carr, Ph.D., has 40 years experience in review of meteorological data related to applied sciences including meteorology, climatology, hydrology, limnology (study of lakes), oceanography, and telmatology (study of wetlands). I taught *Historical Geology* at Purdue University, and *Air and Land Pollution* for three years at Boston College. I worked for two and a half years in the Atmospheric Physics Department at Sperry Rand Research Center. I am a member of the American Association for the Advancement of Science, and the American Geophysical Union (AGU). As a member of the AGU, I subscribe to their meteorological Journals *Climate and Atmospheric Dynamics*, and *Air Composition and Chemistry*. I am a member of nine other professional scientific organizations, and subscribe to over 20 additional scientific journals. In addition I have built a large technical library at the Carr Research Laboratory, Inc. which was founded in 1974.

The only reason I am asking for permission to have the court accept this Brief *Amicus Curiae* is to raise and answer **two very fundamental questions** that should be presented to this Court, knowing that answering these questions will make the Court's work far simpler and so its decision will be based on defensible world class science.

The legal cause for asking for acceptance of this Brief *Amicus Curiae* is because the Massachusetts Attorney General's office declined to allow permission for me to submit this Brief. Note that my request to the Attorney's General's Office was forwarded to the Sierra Club's lawyer for a decision. I was told over the phone that they had all the climate history they wanted and they did not want any more. I was told that if I submitted a copy of my Brief for them to review, they might consider allowing my Brief to be accepted. However, based on the negative tone of the statements made by the Sierra Club's lawyer, it was very clear that if my Brief *Amicus* did not support the Plaintiff's views, my submittal request would be denied, and this motion would be required.

Note, this work is all *pro bono publico* and neither I nor my firm is being paid for my time and effort. Nobody is prejudiced by this motion or the attached Brief.

Wherefore, Jerome B. Carr, Ph.D., respectfully requests that this Court grant *Amicus Curiae* leave to file the attached Brief in support of linking high quality science to high quality law review by this Court.

Respectfully submitted,

Jerome B. Carr, Ph.D.
Geologist, Geophysicist &
Certified Professional Hydrologist
Carr Research Laboratory, Inc.
17 Waban Street
Wellesley, Mass. 02482
Phone: 508-651-7027
FAX: 508-647-4737
E-mail carr@carr-research-lab.com

Technical Offices
Suite D-36
251 West Central ST
Natick MA 01760

Dated: 29 August 2006

Respondent's Consent Letter follows this page.