

UNIVERSITY OF CALIFORNIA, BERKELEY

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OFFICE OF THE VICE PROVOST FOR
ACADEMIC AFFAIRS AND FACULTY WELFARE
200 CALIFORNIA HALL #1500

BERKELEY, CALIFORNIA 94720-1500

PERSONAL AND CONFIDENTIAL

May 28, 2010

Professor Peter N. Duesberg
Department of Molecular and Cell Biology
353 Donner Hall, MC #3206

Dear Professor Duesberg,

This is to notify you that the University has concluded its investigation of allegations that you have engaged in conduct that may be in violation of the Faculty Code of Conduct. With regard to the allegations surrounding the withdrawal of your publication from the online journal "Medical Hypotheses," I have concluded that there is insufficient evidence based on the information available at this time to support a recommendation for disciplinary action pursuant to *The Faculty Code of Conduct and Disciplinary Procedures for the Berkeley Campus*.

http://apo.chance.berkeley.edu/faculty_misconduct_015.pdf

Please note that this determination does not express any position on the part of the University as to the accuracy or validity of the article in question. The University's investigation did not undertake to evaluate the merits of your research, but concluded that your right to publish and disseminate your views is protected under the umbrella of academic freedom.

Also note that the University prohibits retaliation against any individuals who make complaints, or participate in any way in the investigation of complaints under these procedures. Please refrain from engaging in any conduct that may be, or may be perceived to be retaliatory or intimidating towards any individuals you believe to be involved in this complaint and investigation. Thank you for your cooperation.

Sincerely,

Sheldon Zedeck

Vice Provost for Academic Affairs
and Faculty Welfare

cc: President Yudof, University of California, Office of the President
EVCP George Breslauer, University of California, Berkeley
Chief Campus Counsel Christopher Patti, University of California, Berkeley
Professor Arthur Reingold, School of Public Health, University of California, Berkeley
Assistant Provost Sheila O'Rourke, University of California, Berkeley