

No. 08-17389

(D.C. No. 1:08-cv-00136-HG)

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

LUIS SANCHO, et al.
Plaintiffs-Appellants,

v.

U S DEPARTMENT OF ENERGY, et al.,
Defendants-Appellees,

v.

SHELDON GLASHOW, et al.,
Movants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

REPLY BRIEF OF APPELLANT LUIS SANCHO

**LUIS SANCHO
556 E. 3050 N.
Provo, Utah 84604
Appellant**

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PRELIMINARY STATEMENT

1. The *Amici* affirm we have 'misconstrued and misrepresented' the risks to Earth the experiments at LHC represent, when the opposite is the truth: *Amici* misrepresent and downplay those risks (I). Since they affirm there is no risk whatsoever to Earth, as we '**do** know' all possible risks involved. Yet *their texts* and *previous, public declarations of Amici and CERN* prove those risks exist and we do not know how to protect mankind against them.

2. Because CERN doesn't want to reveal them to the public, *Amici* don't inform this Court about them, but use an '*ad hominem*' strategy (III), consisting in:

- *Telling this Court they are people with 'special knowledge'* we must trust and Plaintiffs are people 'without merit' we must not trust, instead of analyzing the extinction risks mankind faces and the safety measures undertaken, if the most dangerous substances of the Universe, black holes and strangelets, appear at the LHC – *which are null* (II).

- *Analyzing another machine, RHIC, 5640 times less potent than LHC, as if it were the LHC₀*, which is like comparing the speed of a cockroach with the fastest USAF supersonic jet, the blue-bird, 'only' 1.000 times faster. Thus, to obtain conclusions from RHIC, pretending they apply to the far more powerful and dangerous LHC is a complete misrepresentation (3,16).

- *Considering the real chances that a black hole or strange star forms at LHC and swallows the Earth*, speculative, when there is a wealth of theoretical papers and experimental proofs that those reactions are real and very common in the Universe (3,4,IV).

- *Enlarging their specific profession, as if Nuclear Physicists represent all scientists of all disciplines; and marketing their experiments, as if they would reveal the ultimate meaning of it all; when in fact only Nuclear Physicists have backed these experiments (11), which are of little importance to the advancement of science, and study the quantum world of particles, not the cosmos as CERN pretends (IV, Addenda).*

These Reasons are why we recommend this Court to allow a fair trial of this case, which can provoke a global genocide (V).

o RHIC collides heavy atoms at 100 Gb per nucleus. LHC collides them at 564 Tb, with 5,640 times more energy. What this means is that LHC will produce easily strangelet drops, 5,640 times bigger, crossing well into its 'valley' of stability. See http://en.wikipedia.org/wiki/Large_Hadron_Collider Line 2 and http://en.wikipedia.org/wiki/Relativistic_Heavy_Ion_Collider Line 18.

I. AMICI'S FALSE STATEMENTS.

3. If the blue-bird crosses the sound barrier that a cockroach will never approach, LHC is the 'first' quark cannon that crosses the Electro-weak barrier of death of 'light matter' that RHIC never crossed (*red line, Addenda A*). This is important because beyond that energy our matter dies, converted into 'strong' quarks, which have an attractive force 100 times stronger than our 'weak' force. And when enough quarks mass together (*Addendas E, F: □*) 10.000 quarks), their attractive vortex becomes so strong that the chain-reaction of death of light matter becomes irreversible, creating a 'mass bomb 14' or 'Nova' ($M=e/c^2$). Since CERN acknowledges it will produce □}1 million deconfined quarks per second, and Novas happen constantly in the Universe, the scenario of destruction of Earth is by no means speculative, as *Amici* affirm. To hide this enormous risk to mankind, *Amici* misinform this Court with false scientific statements... Let us consider some of those statements and the naked truth:

4. 'Careful consideration was given in studies by Jaffe and Dar. Both groups included theorists who were among the first to speculate that lumps of strange matter called strangelets, which contain many strange quarks as well as the usual up and down quarks that make up atomic nuclei, might be more stable than ordinary matter.' Such disaster scenario, which *Amici* do not explain to this Court, is in fact described in one of their quoted Documents, 'Dar':

“Our understanding of the interactions between quarks is insufficient to decide with confidence whether or not strangelets are stable forms of matter. Suppose that, somehow, such an object is produced in a laboratory high-energy reaction and that it survives the collisions that eventually bring it to rest in matter. At a mass above 1.5 ng, for a typical nuclear density, the object becomes larger than an atom. Gravity and thermal motion may then sustain the accreting chain reaction until, perhaps, the whole planet is digested, leaving behind a strangelet with roughly the mass of the Earth and 100 m. radius.”

6. Yet *Amici* consider this document to be a proof of safety. Have *Amici* read the documents they quote? If so, why do they misinform this Court? Perhaps they think we cannot understand their 'special knowledge'?

5. 'The strangelet disaster scenario described by Glashow and Wilson would only be credible if strangelets exist (which is conceivable), and if they form reasonably stable lumps (which is unlikely), and if they are negatively charged (unlikely given that current theory strongly favors positive charges).'

- *Amici* affirm negative strangelets (lumps of strange quarks) are “unlikely”. And since only negative strangelets will accrete the Earth, there is no risk. This is false. Since Strange quarks are always negative, as electrons are (they have $-1/3^{\text{rd}}$ charge). So in the same manner all lumps of electrons are negative, lumps of strangelets should be negative and accrete Earth².

- *Amici* Sheldon and Wilson's assertion that strangelets cannot be negative is based on their decade old paper, which regardless of their credentials is long superseded by work done on strangelets during the last few years, which prove strangelets can be negative. Hence they will *accrete the Earth*. (*Addenda F*).

6. *Amici* state: 'In the case before this Court, one important question is whether the LHC at CERN is sufficiently understood' 'we **do** know'. This is false. Precisely the LHC was created because we don't understand completely the dangerous particles of quark and dark matter (black holes, dark atoms, strangelets, bosonovas, etc.) that might appear at the LHC, as CERN's spokesman, Brian Cox constantly recognizes: "**I have no idea what the discoveries at LHC will lead to.**" "**LHC is certainly, by far, the biggest jump into the unknown.**" "**We know it will discover something because we have deliberately built it to journey to uncharted waters**." While *Amicus* Wilczek affirms in a taped conference that we can provide to this Court⁴, in which *he constantly contradicts his affidavit*: '**Nature is so inventive and malicious that there is a logical possibility that it can lead to a catastrophe.**' *Amici* state: 'LHC primarily accelerates and causes the collision of elementary particles - protons. Only a small proportion of its use involves collision of nuclei.' Yet the LHC stands for **L**arge **H**adron **C**ollider. Because it Collides Large Hadrons, which are massive Atomic Nuclei with the highest content of quarks, exactly the opposite of what *Amici* state. Thus, *Amici*'s misinformation shows:

- A tacit recognition of the dangers of colliding Hadrons to liberate millions of quarks, since they hide the true purpose of the LHC.

- A lack of respect for the intelligence and oath of truth due to this Court, which **do** know the purpose of the LHC. Yet, if *Amici* lie in such obvious fact, why should this

Court trust any statements *Amici* make on complex themes on which this Court doesn't have expertise, but relies on *Amici's* good faith? Obviously it can't. Thus, we must conclude *Amici* and CERN are purposely misinforming this Court, despite their knowledge on the subject, to hide the dangers for Earth of LHC's experiments. Plainly speaking, CERN and the physicists involved in those experiments are experts in 'Quark matter', interested on researching energies beyond the barrier of electro-weak death of our light matter, for personal gain and scholar ambition. *It is precisely their 'special knowledge' and interest on Quarks and Dark matter that makes so biased their statements.* As the expert on Tyrannosaurus Rex from Jurassic Park, who risks her life to see closer her life-time subject of study, CERN's physicists and *Amici* will do whatever it takes to study Quark Matter and see closer a black hole; while the rest of us, human beings, realize better of the risks involved, *since we have not any 'special agenda' and just want to preserve life.*

8. *Amici* affirm: 'Scientists working on the Manhattan Project seriously considered whether a nuclear explosion could release enough energy to ignite the Earth's atmosphere. At that time, probabilistic risk assessment, as it is known today, did not yet exist.' Thus *Amici* recognize Nuclear physicists already, without any safety assessment, risked the planet. Is not CERN using the same 'procedure' - going ahead, knowing they are risking the life of all of us? Is this a proper safety procedure, or an irresponsible act of arrogance?

9. Regarding Jurisdiction, *Amici* again misinform this Court: '(plaintiffs) do not allege any injury that is particularized, nor do they assert any claim with sufficient geographical nexus to the United States.' Since Rujula² clearly explains a strangelet will destroy the

planet, we wonder, do *Amici* know where is America? Perhaps *Amici* believe we exist in a parallel Universe? Fact is, *America will evaporate if a catastrophe happens*. For that reason LHC is *also* a danger to the United States. Thus, it falls under the jurisdiction of the *Patriot Act*, which expressly states the rights of the American Government to prevent the creation of dangerous substances anywhere on the planet, if they might harm the lives of American people. And there is no more dangerous substance in the Universe than a lump of strong quarks. Humanity tends to focus on the past, failing to prevent future catastrophes. So we went to war in Iraq, which only had primitive chemical weapons of mass destruction, as those Nobel produced (28); now we are legitimately worried about the proliferation of 'primitive' Atomic Bombs; yet we let Nuclear Physicists research blindly, without the supervision and stringent safety standards of the military the most powerful Nuclear weapons, Quark Bombs, whose force, 100 times stronger than our 'weak' matter, is far more destructive than anything ever created on Earth.

¹ The whole paragraph found in the article “Will Relativistic Heavy-Ion Colliders Destroy Our Planet?” reads as follows: 'Our understanding of the interactions between quarks is insufficient to decide with confidence whether or not strangelets are stable forms of matter. Estimates based on the MIT bag model leave the question open for any mass (or baryon) number, A , between a single-digit quantity and the value for neutron stars, $A \approx 1.7 \times 10^{57}$. In the case of strangelets, we are dealing with the properties of an incompletely understood hypothetical form of nuclear matter. Imagine that, for some unforeseen reason, there is a “valley of stability” for negative strangelets. Suppose that, somehow, such an object is produced in a laboratory high-energy reaction and that it survives the collisions that eventually bring it to rest in matter. The negative strangelet would attract a positive nucleus and may eat it. The resulting object may lose positive charge and adjust its strangeness by electron capture or positron-decays. The new strangelet may be negative again, and β maintain an appetite for nuclei. If its mass grows to some 0.3 ng ($A \approx 2 \times 10^{14}$) it falls to the centre of the Earth, for its weight overcomes the structural energy density of matter (10^9 erg cm^{-3} or 0.1 eV per molecular bond). At a mass above 1.5 ng, for a typical nuclear density, the object becomes larger than an atom and the positron cloud that it has been developing sits mainly inside the strangelet itself (for stable strangelets that have grown this large, the sign of Z is immaterial). **Even without the help of the Coulomb attraction, gravity and thermal motion may then sustain the accreting chain reaction until, perhaps, the whole planet is digested, leaving behind a strangelet with roughly the mass of the Earth and 100 m radius.** The release of energy per nucleon should be of the order of several MeV and, if the process is a run-away one, the planet would end in a supernovalike catastrophe.'

² See strangelet charge at: http://en.wikipedia.org/wiki/Strange_quarks

3 Those declarations are found at: <http://www.dailymail.co.uk/moslive/article-1025725/Solve-meaning-life-The-worlds-biggest-experiment-meaning-everything.html>
http://www.bbc.co.uk/sn/tvradio/programmes/horizon/broadband/tx/universe/highlights/index_textonly.shtml

<http://www.nullsession.net/nullsession/?p=1716>

Further on Cox says:

"We know it will discover exciting things. We just don't know what they are yet."

<http://www.timesonline.co.uk/tol/news/uk/science/article4670445.ece>

"We might not have thought of what turns up, but we know we've got to see it."

http://women.timesonline.co.uk/tol/life_and_style/women/the_way_we_live/article3403949.ece

While CERN states: "Collisions at LHC differ from cosmic-ray collisions with astronomical bodies like the Earth."

<http://www.google.com/search?hl=en&q=Collisions+at+the+LHC+differ+from+cosmicray+collisions+with+astronomical+bodies+like+the+Earth&btnG=Search>

4 *Amicus* Wilczek contradicts constantly his statements in a taped, public conference, whose key statements are shown at <http://www.lhcdefence.org>. In that document (minute 3 of the film found in the main screen of that site) *Amicus* Wilczek states to the question that LHC might produce black holes: '**... that is true, otherwise respectable scientists have suggested that kind of thing**'. And to the question if that might be dangerous and blow up the planet, *Amicus* Wilczek replies: 'Nature is so inventive and malicious that..., there is a logical possibility that it can lead to a catastrophe' (Minute 5.23). Later he states: 'Most of what happens at high energy accelerators is the strong interaction. We need to understand that very, very well if we are looking for the rare events that correspond to something fundamentally new' (min.34.3). Would *Amicus* Wilczek care to clarify when did he lie, here in Court or in his public statements?; and why did he lie in a matter that concerns the life and safety of the entire planet? Just in case *Amicus* Wilczek doesn't answer to this important question, in the same visual document we find a tentative response, as he recognizes that: '**I've never been so confident though as to make a prediction as when I was called to sit on a panel about the possibility of an accelerator turning on and ending the world. Predicting that it won't is very safe, because if your prediction is wrong, he, he' (and he shrugs)**' (Minute 6). Obviously *Amicus* Wilczek laughs, knowing that if his prediction is wrong the world will blow up and he won't be blamed (while we, plaintiffs, will be ridiculed 'ad nauseam' if nothing happens, despite having taken the proper bioethical standing). But he is now stating the opposite under oath...

II. SAFETY MEASURES AND RISKS

10. Safety measures at LHC are inexistent, since *there is absolutely none established in the case if a quark bomb, black hole, strangelet, bosonova or dark atom appears at CERN, nor any shield that can contain them, nor any weapons that could destroy them.*

So the concept of Safety measures at CERN is to deny all risks, since if something happens we'll all die. To that aim the same self-interested party (CERN), produces irrelevant documents that merely state the safety of the experiments, without arguing the nature of its Quark Factory, the type and rates of production of lethal particles LHC will create (*Addenda A,E*) and the possible catastrophes those substances might cause. Since such analysis would reveal the dangers of extinction mankind faces if LHC operates.

Thus, CERN's reports search for safety alibis elsewhere in the cosmos except the LHC!, analyzing instead the interaction of black holes and neutron stars *in the galaxies!*; studying the 5640 times weaker RHIC, copy-pasting from its safety report!; and making comparisons with cosmic rays, about which CERN lies, affirming they are made of quarks!, as those LHC will mass-produce. Obviously the purpose of such *speculative* 'safety' reports is to create 'noise' and distract this Court and the press from the real issue judged here - CERN'S quark factory; as any rogue Company producing polluting substances that can cause an environmental crime would do. In their brief, *Amici* follow the same strategy: instead of describing the substances and possible catastrophes LHC might cause, they focus its safety study on 'caged canaries', 'imaginary scenarios', 'new', untested procedures for LHC and false statements.

11. *Amici* affirm that the review of risks or LSAG was 'commissioned (to) a high level independent committee.' **This is false.** CERN has only issued reports from people related to the experiment, and it has repeatedly denied safety risk experts, philosophers of science and bioethical experts any say in a potential genocide that concerns all of us (*Addenda B*). The evidence is clear: the LSAG report was conducted by physicists funded and commissioned by LHC principal, CERN, which is headed by a physicist, and reviewed by CERN's Council Scientific Policy Committee, also composed only of physicists. Concerning participants, a "plurality of expertise", including ethicists and safety experts, is **called for by the EC**. Yet of the people involved in the LSAG process (preparation and review of documents) - all 26 were physicists. These physicists' only advice is then put to CERN Council for consideration to the governments. CERN Council represents the 20 governments funding LHC. The Council therefore itself has a vested

interest, and so it is not at arms-length from the project, and may itself feel a bias to justify its prior decisions of support. This is embodied in one of the rules of natural justice or procedural fairness: the rule against bias (*nemo debet esse iudex in propria sua causa* - "no one to be a judge in their own cause") A further rule of natural justice is expressed in the Latin maxim *audi alteram partem*: "let the other side be heard". This element of natural justice is in essence what this Appeal is asking for. Since, given the high stakes of the risks involved – namely the extinction of mankind – we cannot leave self-interested physicists to decide our supreme right to live. Or else we would not be a Democracy, the government of the people, but a Technocracy, as Germany, the main contributor to this machine, was during the Nazi Era, when the worship of technology substituted the ethical guidance and defense of life Democratic Laws provide to mankind (29).

12. *Amici* state that 'one fact is clear: cosmic ray collisions in space have not led to the creation of a new vacuum, so we breathe easily.' CERN and *Amici* affirm that cosmic rays repeat this experiment and so we are safe, because cosmic rays bombing the Earth have not blown up this planet. This 'one fact' is clearly false: In a century of Cosmic Ray analyses, we never detected a single quark ray. Precisely for that reason Nuclear Physicists have built LHC, which is a quark cannon: to study quark reactions that happen inside exploding stars, the only place where the density of matter and sheer force of the collisions involved is similar to that of LHC, causing the creation of pulsars and black holes.

13. Despite their claims, *Amici* don't make an exhaustive list of the 'worst' risks 'imagined' by their 'qualified individuals':

- *A Thermonuclear reaction:* LHC's quarks flow through helium and the high energy of those collisions might trigger its fusion (LHC's Helium already leaked out of its tubes in two accidents. That is why the machine is presently under repair.)

- *Bosenovas:* Novas produced by the sudden implosion of the Earth's mass into a super-atom⁹.

- *Dark matter:* Bcb atoms, made with hyper-massive quarks that LHC will mass produce (*Addenda A, F*).

- *Einstein's accreting black holes:* **According to Standard Relativity**, all black holes formed at LHC, regardless of size, will accrete Earth at light speed ($M=E/c^2$)¹⁴, causing a super-nova.

- *Top quarks.* Einstein considered black holes to be frozen stars made with a 'cut-off' substance¹⁰. Since top quarks have a similar density to black holes, and are the most attractive particles of the quantum world, and LHC will mass-produce them, a black hole made of Top Quarks could convert the Earth into a Top quark star.

- *Strangelets* made of strange quarks that could convert Earth into a strange star, also called a pulsar. This is the most likely scenario, since Standard theory predicts that somewhere between 1000 and 10,000 strange quarks are enough to create a pulsar (*Addenda A, red line*); and CERN will produce \square } 1 million strange quarks per second (*Addenda E*). While Bosenovas and Dark Atoms⁹ are still theoretical, black holes and strange stars are by no means speculative, as *Amici* pretend, but happen constantly in the galaxy and we have now experimental evidence it might happen at CERN, after RHIC experiments with *5640 times less mass/energy*⁰ created quasi-stable strangelets and black holes (16).

14. Another proof that CERN hides those risks was given by Engelens, CERN's Chief Scientific Officer, who said when the risk that LHC blows up the Earth was known: 'CERN officials are now instructed, with respect to LHC's world-destroying potential, 'not to say that the probability is very small but that the probability is zero₁₁.' This kind of 'confidentiality' statements proper of a rogue company that is hiding a crime is the '*modus operandi*' at CERN that we want to avoid, making public those risks and giving mankind the chance to argue them in a due process of law. Since even if there is only a very small probability of blowing up the Earth, as CERN believes, when multiplied for the total population at risk, *6 billions*, as Insurance companies do to calculate the risks of a catastrophe, the result is a genocide. Indeed, a 'very small' quantity is a qualitative term, which science uses for probabilities or populations of $\square\}1\%$, which means still *60 million causalities*, making the switch on of LHC, regardless of its final outcome, on insurance terms, the biggest genocide of History. An objective, more realistic calculus, as the one we made in our affidavits on the original suit, places the risk over 50%, as there is one event with a high probability, a strangelet formation, and one with a smaller probability, a black hole formation, both of which, according to standard science, which is not the outdated paper of Wilson and Glashow, or the fantasies of Hawking, but Einstein's Relativity and the fundamental properties of quarks, will blow up the Earth.

⁵ LSAG is available at: <http://lsag.web.cern.ch/lsag/LSAG-Report.pdf>

Mr. Magnano's paper is available at <http://arXiv.org/abs/0806.3381>

Both ignore completely LHC's quark production and the possible substances it can produce (Addenda A), focusing on cosmic rays, RHIC and neutron stars, which have nothing whatsoever to do with the LHC. To make a comparison, would this Court take seriously a 'safety report' made about the Ford Mustang by the same Ford Company (11), which studies instead another car, let us say, the Toyota Camry (RHIC), and a completely different object – let us say the chances that a comet falls on our heads (black holes colliding with neutron stars, main theme of Mr. Magnano's paper)?

⁶ Let us consider some of those fallacious arguments and the curious concepts on safety standards *Amici* hold: 'Industrial safety was managed by learning from past mishaps and by using appropriate measures to avoid their recurrence. For example, miners once used caged canaries as methane detectors. This

management process is no longer acceptable as modern technologies have sometimes led to disasters.' Thus, defendants acknowledge that new technologies do lead sometimes to disasters. Moreover, they acknowledge that, while at any present time scientists consider their knowledge always proper, in the future often we discover those measures were not safe enough. So if defendants accept that in the relative future what we believed had no risk in fact brought disasters, how are they so sure that in the relative future what they claim now to be safe will not bring a catastrophe? 'The amici recognize that a new procedure had to be developed for the concerns at issue in this case.' Thus *amici*, who claim 'the highest standards' of safety yet developed', in fact are testing a 'new' untested procedure in an experiment, whose mishap will be the last one, as it risks the life of all mankind. 'The most creative scientists were tasked to imagine what might go wrong and satisfy themselves that the imagined problems did not exist. They examined carefully three scientifically conceivable disaster scenarios in which experiments might produce "black holes" that could gradually consume the Earth'. This pretentious new method of assessment is not scientifically acceptable, since 'imagination' is not a procedure of science. We either know or do not know the facts. Further on we might wonder, if CERN can imagine 3 catastrophe scenarios, doesn't this fact imply that those 3 imagined scenarios are at least probable, especially when *Amici* acknowledge that in 'science accepted truth evolves gradually or discontinuously'? Further on, our brief list (13) proves 'experts' imagination limited, as many scenarios escaped them.

7 In the same line of thought, the constant use by *Amici* of the word 'scientists', instead of 'nuclear physicists', clearly tries to mislead this Court, implying that scientists from different disciplines are in favor of the experiment. This is probably due to the fact that Nuclear Scientists have constructed all the weapons of mass-destruction of the XX century, and so they prefer to hide their responsibility, after half a century of global terror, under the umbrella of science. For the same reason CERN will be eliminating from its acronym the word Nuclear, to avoid an accurate understanding of its nature and pass as a 'Center of European Research', not as the Nuclear Company of Europe.

8 The difference between cosmic rays and the LHC is clear. Cosmic rays are lonely atoms and ions of lower density (mainly hydrogen), whose chances to collide in their center in enough numbers to liberate a mass of quarks, so close together that they can create a strangelet or mass-bomb, are null. *For the same reason the Earth is not constantly detonating A-bombs despite having Uranium. The 'critical mass' will never be achieved unless we purify and pack together the uranium.* That is why cosmic rays don't convert Earth into a Nova. Since, to recreate the conditions of a self-sustained mass-bombs we need to create the 'detonator' that starts the chain-reaction by massing together thousands of quarks and give them the highest energies of the Universe, which CERN will achieve through a process called stochastic cooling that compresses together millions of hadrons (heavy atomic nuclei), accelerating them until reaching light speeds with super-magnetic forces. Those ultra-energetic, ultra-dense 'bags' of quarks, target an opposite beam of millions of dense quark nuclei, making them collide in a point in which they stop at rest, forming a mass-bomb that keeps feeding on our electroweak matter, in a chain reaction that converts Earth into a quark star. This kind of precise collisions, forces and density of quark mass, only happens in the center of exploding stars, where Super-Nova reactions take place. So it is quite possible that the collision of 2 bags of ultra-dense quarks at the LHC will also create a Nova reaction.

9 A bosenova is described in simple terms, in those web addresses:

http://www.nist.gov/public_affairs/bosenova.htm

http://www.space.com/scienceastronomy/generalscience/supernova_lab_010723.html Yet LHC is not the only lab on Earth that might produce them in the near future (albeit, given its enormous energy, the most probable place). Dark atoms are very likely formed, as Light atoms are, by the combination of the triangular base (Addenda A) of the dark matter triangle. The difference is that the quarks of the dark matter triangle are much more attractive and act/react much faster than light atoms. For example, their individual particles mutate into their antiparticles billions of times per second. So, even if we have not observed them yet, their theoretical properties make them very dangerous.

10 See min.15-20 of visual document at <http://www.lhcdence.org> where we explain the formation of 'gas-9', the technical name given in Fractal Relativity²⁵ to a deconfined state of top quarks, described also by this year's Nobelist Nambu¹⁸, as the most attractive vortex of particles in the Universe. In fractal relativity top quarks are the atoms of Einstein's black holes, which he called frozen stars, arguing they could only exist if we found a 'cut-off' substance with enough density to be its 'atoms'. *Yet the obvious need of a material substance in black holes* is denied by quantum physicists like Hawking, who believe in the main 'religious ideology' of physicists, called Pythagorism, according to which the Universe is made of numerical functions, 'probabilities'. Pythagorism implies that any mathematical equation must exist in reality because,

as Galileo put it, 'Mathematics is the language of God'. And for the same reason, anything that cannot be written in equations, including information and life, must not exist or be relevant to our understanding of the Universe. *So Hawking also denies the arrow of information in black holes, says Einstein's black holes are "double wrong" and black holes evaporate information. It is the so-called information paradox proved wrong 'ad nauseam'.* Since Godel, the most important mathematician of the XX century showed that mathematics is just a language that can produce, as any language does, fictions. So equations, which are logically inconsistent or describe particles that contradict known laws of science and don't have experimental evidence are false. This is the case of Hawking's time machines, aka evaporating black holes, and many other mathematical fantasies, from parallel Universes to multiple dimensions and super-symmetric particles that the efficiency and simplicity of the Universe forbid and the quark factory will never produce, despite CERN's claims their quixotic search is 'vital scientific research'. Yet among Pythagorean Physicists Godel is taboo. So Hawking claims to have had his "biggest depression" after reading him. The exception is Einstein, Godel's best friend who, unlike quantum physicists, always respected the Laws of the Scientific Method and confessed to Poncaire he hadn't become a mathematician because he could 'prove when a mathematical equation was truth but not when it was real'. Thus, he confronted all his life Quantum fantasies with no proof, and his strict sense of veracity paid off, since all his theories have been proved 'right', while not a single Quantum, speculative fantasy, including evaporating black holes, have been proved right by the laws of the scientific method – exactly the opposite of what *Amici* claim. At his death however, Quantum Physicists tried to substitute Einstein's proved work on Gravity and Mass, with a Quantum fantasy called quantum gravity, according to which small black holes were not made of mass, but obeyed quantum laws. This is absurd, as Gravitation deals with the macro-cosmos and Quantum Theory with the micro-cosmos, two 'fractal scales' of different size and forces²⁶. But that didn't deter Wheeler, the father of the H-Bomb, which Einstein also opposed, to invent 'Quantum Gravity', and change Einstein's name of frozen stars to 'black holes'. Wheeler did it because, as he confessed to Thorne, Hawking's best friend, also a writer on time machines and science fiction (http://en.wikipedia.org/wiki/Kip_Thorne), he wanted to study frozen stars with the laws of quantum theory as 'probabilistic' objects. So he defined black holes as mathematical fantasies with no substance, which had at its center, instead of quarks, 'infinite density' and 'null volume'. This absurd concept called quantum gravity is the speculative theory, never proved, from where Hawking's work arose. For many years Hawking recognized that his work on 'black holes' was a mere mathematical fiction and he even bet with Kip Thorne that such black holes didn't exist in Nature (see the account of this fact by his professor at www.lhcdefense.org). Yet CERN and a new generation of 'Pythagorean' physicists seem to have forgotten the fictional nature of all those mathematical fantasies, which CERN now sponsors, *not to deal with the fact that if black holes are Einstein's frozen stars, they will be produced at LHC by massing together top quarks into 'gas-9', the detonator of a frozen top star.* Thus, if Einstein is right about his frozen stars, since LHC will produce Top quarks in massive quantities, it will very likely produce black holes, which will never evaporate, as we have never seen a quark evaporating, but grow at light speed, making us all into top quarks, $M=e/c^2$ (Exhibit A). In that regard, despite his constant falsification, Quantum theorists like Mr. Hawking resort as the ultimate alibi to cling on his theories, to probabilistic models of the Universe in which all is possible, including an infinitesimal probability that black holes evaporate into the past²⁴ and we survive the LHC. In one of his books 'the Universe in a nutshell', Mr. Hawking points out that the chances of time travel and hence of black holes evaporation (23) are 1 in a trillionth, but he ads 'I like to bet'. Those are the chances we survive one of those black holes, if they appear at CERN (min.²⁸ at <http://www.lhcdefence.org>). The use of probabilities has become in that sense customary among the gurus of quantum physics, because it allows them to invent all kind of bizarre theories, whose improbable testing is a good excuse to build machines like the LHC, despite Mr. Einstein's dictum that 'God doesn't play dice'; *since probabilities in science merely reflect limits on the human perception of some events, they are not a license to affirm anything is possible.* But without them, people like Mr. Hamed, a critique of this suit, could not affirm 'because of the dice-throwing nature of quantum physics, there was some probability of almost anything happening. There is some minuscule probability, he said, the Large Hadron Collider 'might make dragons that might eat us up.'; while sponsoring as a probable truth his theory of 10⁵⁰⁰ parallel Universes... some of which, I suppose, have dragoons that will travel through the probabilistic dimensions of other quantum theories into LHC

http://neocrack.info/Crackpedia/Physics/particle%20accelerator/particle_accelerator.htm

¹¹ http://www.newyorker.com/reporting/2007/05/14/070514fa_fact_kolbert

III. 'AD HOMINEM' STRATEGIES

15. It has been customary in this case to dismiss the suit with 'ad hominem' accusations against the plaintiffs, to create 'noise' and distract attention from the real issues and catastrophes that might occur at LHC, as CERN doesn't want to argue them. *Amici* follow the same procedure in their filing:

16. *Amici* affirm: 'Similar claims of potentially cataclysmic disasters were made by one of the plaintiffs in this case when the Relativistic Heavy Ion Collider (RHIC) was planned ... One of the *Amici* was a member of the high level committee selected to analyze the potential risks of the RHIC.' Since *Amici* claim 'we **do** know', yet the outcome of RHIC experiments he supervised was called a “**complete surprise**” - could *Amicus* clarify why he is now so sure that he is right about LHC? (*RHIC bulletin, Addenda C*): 'Astonishing surprise: Scientists at RHIC had expected collisions... to produce a gas of free quarks and gluons. But instead of behaving like a gas, the matter created in RHIC's energetic gold-gold collisions appears to be more like a liquid - a perfect liquid with virtually no viscosity or frictional resistance to flow.' Problem is a gas evaporates with no harm or a relatively 'mild' explosion. Yet a strange-let, as its name indicates, is a 'strange-liquid' similar to the one found at RHIC, with a higher density of strange quarks (>10.000 quarks) that make it stable (*Addenda F*). Since LHC will replicate RHIC experiments producing 5640 times more energy/strange mass, ($>1.000.000$), it should form a strangelet vortex that would convert the Earth into a pulsar. Thus, RHIC proved the creation of a strangelet is by no means speculative but the most likely event to take place at LHC. Because *Amici* know this¹², they mislead the court with a string of false statements:

'Although LHC operates at a much higher energy level than RHIC, the likelihood of any of the postulated catastrophes envisaged by the most imaginative physicists is much smaller than with a nuclear collider.' Proved false by Einstein's equation, $M=E/c^2$, which means *a higher energy creates much more quark mass*, hence it makes strange liquid more stable¹³. A fact which *Amici* Wilczek has explained out of Court and now he denies¹⁴. 'Ordinary matter are expected to be liberated as quark-gluon plasma.' Proved false by the fundamental law of the scientific method, experimental evidence. Since RHIC produced quasi-stable strange *liquid not* gas. Yet *Amici* and CERN know strange liquid will be lethal to Earth; so both deny experimental evidence and talk on the creation of harmless quark-gluon plasma gas¹⁵.

17. *Amici* claim plaintiff Wagner, who sued Brookhaven, was wrong because Brookhaven didn't destroy the world. Yet Wagner only affirmed there was a probability that tiny black holes could appear. That was the case in one of the experiments (*Addenda D*): a quasi-stable micro-black hole appeared at RHIC. Since all experts at Brookhaven were 'perfectly surprised', only Wagner came closer to the truth, even if he never claimed he 'did know' with certainty the outcome with his 'special knowledge' as our *amici* pretentiously affirm.

18. *Amici* affirm 'concern by the Appellants in this case is not well-founded, or even legitimate, because they have, apparently, not educated themselves about the extensive analysis that has been done.' This is false. This plaintiff produced in the lower-court suit an extensive report, showing the falsity, irrelevance and lack of independence of the LSAG Safety reports (*Addenda B, 11*). **Do *Amici* and Mr. Kaufman take their profession**

seriously enough to 'educate themselves about the extensive analysis that has been done' on the lack of independence and falsity of the LSAG?

19. *Amici* affirm they 'are prompted to submit this brief in part because the Appellants have misconstrued and misrepresented the nature of science and scientific knowledge.' Fact is, this suit responds precisely to a proper understanding of the Laws and Ethics of the Scientific Method, which are not defined by Physicists but by *Philosophers of Science*, my specialty. If a Judge is the guardian of the Constitution, the supreme law of Society he helps to write, and must judge upon the truth on the suits presented at Court, the philosopher of science is the guarantor of the scientific method, the supreme Law of science and so he must:

- Develop the Laws of the Scientific Method and write general theories of science^{16,26}.

- Falsify theories, which don't obey those Laws¹⁰ (IV).

- Consider the Ethical value of news experiments and technologies, denouncing them when they harm human life (V).

Because CERN justifies its astronomical expenses pretending to test with their experiments theories that have been falsified, it will not advance our understanding of the Universe; because it risks the life of all of us, it shows a complete disregard for the Ethics of science. Thus, as a Philosopher of Science I was obliged to litigate against CERN. And I ask this Court, who rules on behalf of the American people, under the same cherished beliefs in the importance of knowledge, truth and ethics, to allow a fair trial in which both sides can argue the dangers of extinction and scientific misuses of LHC.

12 The main substance LHC will produce is a vortex of ultra-cold, super-fluid quark-gluon liquid, as the one produced at RHIC but of higher stability; called in scientific literature a bag of 'ice-9', (name taken from Kurt Vonnegut's novel 'Cat and the Cradle', which, as Wilczek has often described out of Court, would trigger a chain reaction that will accrete the Earth (min. 37 onwards of visual document at <http://www.lhcdefence.org>; SciAm, 99).

13 As with a fetus born with little weight that dies before stabilizing its vital constants, at RHIC around one thousand strange quarks were formed and then the liquid dissolved. We were lucky enough that RHIC's strange liquid didn't stabilize. Yet if such strange liquid, considered to exist in the center of all neutron stars, hence truly common, is born with more mass, it will certainly stabilize and convert the Earth into a small pulsar. This parameter is called the MIT constant of stability, and most physicists today, experts on strange theory (*red line on Addenda A, Addenda C*) consider this to happen beyond the 1 terabyte barrier of energy/mass, never surpassed by RHIC, which LHC will cross far beyond. Then our weak mass breaks its symmetry (a technical concept to state that it dies and becomes converted into heavy quarks). Yet, precisely LHC has been constructed to study the 'symmetry breaking'=death of our light matter and the creation of dark matter and heavy quarks, made with it (3,27). This is why it is so dangerous. Thus, the catastrophic scenario is by no means speculative but the most likely event to take place at LHC. Further on, the quasi-strangelet fetus lived much longer and accreted 10 times more matter than scientists expected. In fact, strange quarks were called strange because physicists were surprised by their long lasting life, millions of time longer than they thought. 'It was as if Cleopatra were still dying of an asp bite' said its discoverer. As *Amici* Wilczek states at <http://www.lhcdefence.org>, min.5.23, 'Nature is so inventive', that its species always survive better than expected. We might say that at RHIC physicists expected a lame duck but saw the teeth of a Tyrannosaurus Rex; and now the 'experts' on dark matter are eager to make Jurassic Park to see all the possible monsters of the dark world fully grown, regardless of the 'collateral effects' they might bring to mankind.

14. The nature of those quark bombs is shown in detail by one of our *Amici*, Mr. Wilczek, in the taped conference available at <http://www.lhcdefence.org>, when he explains the creation of mass-bombs according to Professor Einstein's inverse equations, $E=Mc^2$ and $M=E/c^2$, an occurrence that now he denies. Since energy and mass are equivalent, this second equation $M=E/c^2$, which as *Amicus* Wilczek explains (min.13 of the visual document), was Mr. Einstein's initial equation, creates 'mass-bombs', novas, black holes and strangelets. And it happens when Energy becomes mass. Thus, since LHC has much more energy than Nuclear Colliders, it will produce much more mass, increasing enormously the risks of creating black holes and Strangelets. How then *Amici* can claim exactly the opposite, against Einstein's well-proved theories, when *Amicus* Wilczek recognizes exactly the opposite?

15 CERN also uses constantly in its site and official documents the outdated concept of a quark-gluon plasma, instead of recognizing LHC will create strange quark liquid.

16 http://www.unificationtheory.com/laws/science_unification.htm

IV. SCIENTIFIC ALIBIS

20. The 5 main theories CERN pretends to test at LHC, as part of a marketing campaign that convinced our administration and the mass-media on the need to spend those 'astronomical' sums, are either extremely dangerous (research on symmetry breaking and dark matter), false (evaporating black holes), redundant (Higgs), unlikely (the big-bang that telescopes already study) or theoretical, hence impossible to achieve through experiments (the Unification of Forces):

21. CERN's Scientific Officer affirms discovering the Higgs, the main reason LHC was built, will be 'the closest we will ever be to God'¹¹. Yet *Amicus Glashow* called Higgs a "toilet" particle, while *Amicus Wilczek* affirms only his work and 'nothing else', (implying Higgs), explains mass¹⁷, contradicting both their statement that LHC develops 'vital scientific inquiry.' Fact is, Higgs is not a new particle but its parameters correspond to the heaviest, most attractive particle of the Universe, the top quark (*Addenda A*), whose deconfined 'Higgs' state was analysed by this year's Nobelist, Mr. Nambu¹⁸. Thus, according to the scientific method, which considers the Universe simple and efficient (Occam's razor), Higgs is a redundancy – the known top quark, whose equations were rewritten, as Microsoft rewrote Apple into windows. Since, nobody would give billions to build the 'plumbing' tubes of LHC's 'toilet' and 'rediscover' the top - a particle we already knew¹⁹. Problem is Top quarks should be the 'atoms' of Einstein's frozen black holes¹⁰ that in Relativity will eat up the Earth. So the Higgs Hoax might cost mankind much more than 13 billion \$...

22. A telling proof that the Higgs and Hawking's theory of evaporating black holes are at least 'speculative' is their mutual denial: Hawking bet \$100 we won't find Higgs particle...²⁰ While Higgs considers Hawking's theory false ²¹ (so black holes at LHC won't evaporate and accrete Earth).

23. 'If RHIC (or its higher energy successors) could create a black hole, such a black hole would be so tiny that it would evaporate instantly.' *Amici* once more copy-paste an article about RHIC as if it were LHC; and use a speculative theory, which has been falsified *ad nauseam* under the laws of the scientific method, to make us believe black holes are harmless time machines that evaporate information. Indeed, Hawking says Einstein is

'double wrong' because black holes evaporate. Yet **black hole evaporation is a speculative theory** of which **there is no proof whatsoever**, that breaks all *the main laws of science, hence it is false*²²:

- *The Duality of energy and information*. Hawking pretends black holes have only entropy, *the arrow of energy and death*, and destroy the information of the Universe, *the arrow of life and mass* that increases in all systems with the passing of time (*Addenda J*). So he denies Einstein, who said that time curves energy into formal masses, in'form'ation. And Darwin, who said time evolves the forms of life²³.

- *The II Law of Thermodynamics*: Hawking affirms that black holes invert the direction of time, getting hotter in a colder environment, which is like saying hot coffee gets hotter when you put it on ice. Of course, if you travel to the past this will certainly happen: the coffee will boil²⁴ (-;

- *The law of Hylomorphism*, a fundamental tenant of the experimental method. Since all beings have substance, but Mr. Hawking pretends his black holes are mathematical fantasies called 'singularities'^{10, 22}.

- *The law of causality* in time from past to future, *the foundation of logic*, recently used in Fractal Relativity to prove once more Hawking wrong^{24, 25}.

- The laws of Relativity, which *affirm that all black holes regardless of size will accrete Earth*, growing exponentially at c-speed, according to Einstein's equation of mass¹⁴ ($M=E/c^2$). Since Relativity means size is relative and doesn't affect the properties of Black Holes, which always obey the Laws of Gravitation, not as Hawking believes, the laws of quantum electromagnetism, a completely different force¹⁰. Fact is **Einstein's Relativity is the standard theory of black holes**; hence the only one that should be

admitted in a process of law, where speculative theories, like Hawking's evaporation, have no place, exactly the opposite of what Amici claim.

24. It is thus clear that *Amici* and CERN purposely choose any theory available, as bizarre as it might sound, that proves LHC safe and makes it look necessary for 'vital! scientific inquiry'. So they prefer the speculations of wannabe Nobelists, Higgs and Hawking, instead of the real particles and forces: *Nambu's Top quarks and Einstein's black holes that show the enormous dangers of creating a quark factory on Earth.*

25. The 3rd goal of those experiments is to find the mathematical equations that Einstein searched for in his last decades, a Unification Equation of the Universal constants of electromagnetic and gravitational forces. This Quantum Physicists at CERN will never find, smashing particles to see 'what happens', since it is a theoretical result, which must be obtained as Einstein tried, with 'Thought Experiments', departing from Geometry and Gravitation not from Quantum Theory²⁶. And indeed, Einstein's approach was right, though he lacked the modern mathematical tools of fractal theory, discovered after his death, which was the key to find that equation, that I presented last year in a conference on Fractal Relativity²⁵ at the *Annual Congress on Time Duality, the Philosophy of Science* that studies the Universe with 2 arrows, energy and information, whose **International Congress** I chair. Since *Amici* acknowledge that equation to be the Holy Grail of Modern Physics they couldn't find, I bring it here as a proof *Amici* and CERN don't have any 'special knowledge' we plaintiffs lack, and their assertion that we 'have no merit', is just an 'ad hominem' disqualification to avoid a fair trial on an Environmental Crime and waste of public resources that can cause according to standard science a *global genocide*.

26. The 4th theory LHC pretends to test is the cosmic big-bang. Since, when you believe only in the arrow of energy, entropy and death, as Quantum Physicists do, it seems reasonable to re-create the biggest bang thinking it will reveal the meaning of it all (*Addenda H, J*). Unfortunately, even if CERN is able to cause such huge explosion, in the past decade we found a growing number of experimental proofs that at best the big bang is local: the explosion of a galactic black hole, called a quasar - facts that obviously CERN prefers to ignore:

- Astronomers have proved that the radiation of the big-bang is local, since it doesn't leave shadows when it crosses through far away galaxies. Thus, it doesn't come from the remote ends of the Universe, 'behind' those galaxies, like the cosmic big-bang theory pretends²⁷ (*Addenda H*).

- The dates of the big-bang theory coincide with the cycle of creation and destruction of the central black hole of galaxies, that takes the same 13 billion years, *and has, unlike the cosmic big-bang, experimental proofs* (*Addenda H*).

- We found helium, overproduced in any big-bang, to be more abundant around the central bar of the galaxy that disintegrates in those cycles, and we have found black holes so huge and old that they had to be formed before the supposed cosmic big bang of 13 billion years... (*Addenda H*) Yet if all those proofs were acknowledged, it would mean the end of massive funding for astro-physicists as the 'high priests' that understand it all, and the end of LHC - whose replication of that big explosion could recreate a quasar and blow up the Earth.

27. Only a question remains, to prove Einstein and Fred Hoyle right again, with their theory of an eternal Dualist, Dynamic, Steady State Universe, in which each galaxy

explodes and implodes informative black holes into dark energy in infinite cycles... Where does the 2.7k 'blackbody' radiation of the galaxy, formerly ascribed to the cosmic big-bang, come from? Which 'blackbody' creates the exact form and temperature of that radiation? The answer is relevant to this suit, because it falsifies from a different perspective the 2nd, most repeated argument for the safety of LHC: that moons bombed by cosmic rays never become black holes, since the moon is still here and so LHC will not make one. CERN's argument is 'double wrong'. Because cosmic rays are not quarks²⁴ and moons do become black holes. Indeed, that 2.7k radiation, which Penzias observed *coming from the galaxy*, and Gamow, an A-Bomb researcher, blew up to cosmic dimensions with no proof whatsoever, can only be produced by a black hole with the mass of the moon that *reflects as a gravitational mirror* light at that exact temperature. Since the quantity of mass of the black hole determines the gravitational 'temperature' at which it bends light, *as Einstein proved*. So we can easily calculate what type of black hole produces 2.7k degrees, as the reader can test, by substituting the mass of the moon in the formula of black holes' mass= temperature²⁸. Thus, since 2.7k radiation is the most common of the galaxy and moons are the most common planetoids, the galaxy must be full of black holes that ate moons and now bend light at 2.7k degrees. CERN affirms LHC will research how the electroweak force 'breaks its symmetry' and becomes dark matter, without explaining this means to research how our 'weak' mass dies and feeds 'strong', Quark matter. Further on, there is 60 times more dark matter than light matter in the Universe (*Addenda I*) and the only candidates among standard, known particles that can form dark matter are quarks (*Dark matter triangle, Addenda A*), components of ultra-dense stars and Einstein's black holes, called MACHOs, (*Addenda F, 27*), which should be

in the Halo radiating at 2.7k. Thus, the conversion of 'weak' Earths and moons into a *lump of* dark, quark matter should be 'business as usual' in the cosmos, exactly the opposite of what CERN affirms. Thus, to make a quark factory on Earth is enormously dangerous. It is like reproducing Ebola viruses, without any safety measure, pretending it's 'vital research for science'. Those MACHOs of dark matter protect the galaxy, as the Oort belts of moons in which they might feed, protect solar systems. But none is evaporating. We haven't observed with the Fermi satellite any signature of black hole evaporation. We haven't found either any signal of human intelligence, despite growing evidence on the existence of millions of Earth-like planets in the galaxy²⁹. It is the Fermi paradox, which he enunciated after betting, as *Amici* explain, that the 1st A-bomb would evaporate 'only' New Mexico. Perhaps he was thinking that Nuclear Physicists always evolve technology to a point in which they blow up their planets, playing to be God, as CERN might do this Christmas, unless this Court accepts the suit and Judge Gillmor declares LHC a danger to the life of Americans and Mankind at large.

28. CERN and *Amici*'s problem is not their professional credentials, but their professional ethics. CERN systematically lied about those risks to the press, their governments and now this Court, to obtain billions of \$ for an accelerator, which is in essence a quark cannon, a military weapon, they '**do** know' to be extremely dangerous. Yet, instead of sharing that 'special knowledge' with this Court, they use it to disguise the worldly profession of Nuclear Physicists as makers of weapons: 400 years ago Galileo published the first book on Ballistics, 'military compasses'. A century ago, the biggest arm producer of the XIX C., nicknamed 'Doctor Death', Nobel, inventor of Dynamite, manufacturer of Bofors Cannons and chemical weapons used in both World Wars by both contenders,

founded his prizes. He stated: 'my factories will put an end to war sooner than your (peace) congresses: on the day two army corps can mutually annihilate each other in a second³⁰'. 50 years ago, Szilard, the main lobbyist of the A-Bomb, invented the accelerator and in Nazi Germany, Hahn used it to fission the atom, starting the nuclear industry. Today, the recipients of Nobel's prize construct a superfluid, lightspeed, 7 terabyte quark cannon that might blow up the Earth in a second, achieving the dream of 'Dr. Death'. Those accelerators were funded during the Cold war to find stronger nuclear weapons. In the process of destroying mass and energy, Nuclear physicists found the particles that make up matter. Today, when the cold war is over and the *standard model of particles is complete*, there is no need to spend enormous sums in an age of economical crisis, building 'strong' quark cannons. For that reason, the previous Democratic administration canceled the American Supercollider (SCC), whose cost was equivalent to the budget of the National Health Agency. Nuclear Physicists know their main profession is the creation of Weapons of Mass destruction and have an unwritten code of silence that prevents any bioethical criticism among peers. So the Nuclear Industry now markets accelerators with extravagant theories - evaporating black holes, God's particle - *which were ignored when the military funded them*, to convince politicians to build the 3rd horizon of Nuclear cannons, the LHC. Indeed, after 'weak' energy bombs ($E=Mc^2$) and hydrogen, energy/mass bombs, CERN will create self-sustained 'strong' quark/mass bombs that need only a small amount of detonator to blow up the planet, *since the combustible material is outside the bomb, in all of us, made of weak matter*. And Nuclear Physicists back 'en masse' CERN's experiments with their wrong sense of rogue solidarity against 'concern for the environment that inhibits vital

and important scientific inquiry'. Yet truth in science is not proved by quantity, corrupted prizes and overgrown budgets but through the laws of the Scientific Method. For example, in the XIX century, *all* physicists except Einstein believed in an absurd 'equation/substance' called Ether, which was harder than steel, softer than butter and filled the Vacuum. Einstein's best friend, Godel, proved then that mathematics is a language that creates fictions¹⁰. So Einstein denied ether's existence against *all* Physicists and he was ostracised by his peers, having to work in a patent office for many years³¹. Finally, when Michelson measured the speed of light on that vacuum, 'ether' evaporated by lack of experimental evidence. Today CERN wants us to believe absurd theories that put our lives at risk on pretentious 'Authority'. Instead, we want them to prove truth in Court with the laws of the Scientific Method. Because as Einstein put it, 'those who impose truth with power will be the laughs of the Gods'.

¹⁷ *Amici* Sheldon's toilet concept is explained at <http://www.msnbc.msn.com/id/20215345/> While you can see Wilczek declarations on min. 27.3 of the visual document at <http://www.lhcdefence.org> I do agree with both of them. If we were to falsify the Higgs for our *Amici* physicists in a logical, causal manner, using the 'special knowledge' of the Scientific Method and its epistemological laws we should write the following logical chain:

A) In the 70s in *Physical Review*, Smolin and Zee proved that the Higgs was equivalent to a Brans/Dicke variable gravitational space/time vortex, *which is based in the standard model of gravity and mass, Einstein's Relativity, and explains the meaning and value of different masses without the need of new particles.* (Addenda G, A)

B) In the earlier 2000s, in the book 'Cycles of space-time', <http://dinamica-de-sistemas.com/revista/0906e.htm> I used a variable gravitational space/time vortex to prove that a strong field was the quantum equivalent of a gravitational field and howed mathematically, departing from Einstein's Principle of Equivalence that mass was equivalent to the frequency of space-time vortex . While *Amici* Wilczek arrived to the same conclusions on his work on the strong force, which now he seems to deny, considering the search of the Higgs of 'vital importance' for scientific inquire. Thus, it became obvious to me, as it should have been to *Amici* Wilczek, that a standard ultra-heavy particle, *a quark*, not a new particle or theory, would be the cause of the death, or 'breaking of symmetry' of our weak mass.

C) Higgs equations are copycat of Goldstone, copycat of Nambu's description of a top/antitop deconfined quark super-fluid vortex. So deconfined top quarks were the standard particles we needed to explain the death of light matter (the 'breaking of symmetry'), explained by Nambu, before Higgs 'discovered' his redundant particle.

D) Further on, the weight and parameters of a Higgs are equal to those of a top quark (Addenda A)

E) Occam's razors prove efficiency and simplicity are truths in science.

F) $A+B+C+D+E$ means that Higgs created synonymous equations to those of a deconfined top quark super-fluid vortex of strong forces (said 'I am brunette' instead of 'I have dark hair'). So the Higgs is the top quark and that is why...

G) Nambu NOT Higgs got this year his Nobel prize. Since LHC won't find Higgs. Instead it will produce a whirl of superstrong, attractive top quarks that will start breaking the symmetry (aka feeding) of our electroweak matter at the nice rate of a +1 billion feeds per second.

H) This in abstract writes $n+p \rightarrow w+z \rightarrow$ top quark. Further on, a Top=Higgs has the same weight that the sum of a W and Z particles ($w+z=t$)... What this means is that our weak mass becomes broken first into W+Z particles that evolve into heavier quarks. Thus, after having spending 13 billion \$ in this machine, what Nuclear Physicists expect is to 'rediscover' the Top, learn some minor details about the death of our matter, create massive amounts of quarks and dark matter, and hail Nambu as the great physicist of the age. Then have a good laugh on Higgs for the money they got with his hoax.

19 In simple terms, Leo Lederman (min. 22 of the visual document), an ambitious administrator of Super-Colliders, who wanted to create LHC in America, knew that the Standard Model of particles was closed, as all its quarks were already discovered, forming 2 beautiful, 'self-similar triangles' of light matter and dark matter, able to explain all the other particles of the Universe (Addenda A, 27) - except the mathematical fantasies of Pythagorean Physicists¹⁰. Those invented particles, such as Higgs, WHIMPS and SUSYS, that have an infinitesimal probability of existence, since the fundamental law of the Scientific Method, Occam's razor, the law of simplicity, deems them unnecessary, are now according to *CERN essential* to our understanding of the cosmos. In the case of Lederman, since he knew there was no reason to spend 13 billion \$. he insisted that the Top Quark=Higgs, was a new particle of paramount importance to understand it all, not just another quark. So he called it God's particle, wrote a book with that title and sold it to Reagan to fund the SSC (American Super-collider). Clinton, though, found out the scam and waste of resources and cancelled the project, as the present Democratic administration should do with LHC. Then, Nuclear Physicists convinced the French, eager for 'Grandeur', that 'God's particle' would solve the meaning of the Universe, and obtained the funding for LHC, in an age in which super-colliders, that were basic instruments of research in nuclear weapons during the cold war, had become an obsolete, ultra-expensive machine, which neither Russians nor Americans wanted to fund any longer.

20 <http://www.shvoong.com/exact-sciences/physics/1838912-professor-higgs-big-bang-collision/>

21 Higgs doesn't seem to care that his belief in the falsity of Hawking implies CERN's black holes will blow up the Earth since he backs the experiment to find his particle. Regarding Mr. Hawking' in the document at www.lhcdefence.org he affirms (min.25) that if his theory is wrong we will become 'spaghetti', but if he is right, he will obtain a Nobel Prize, concluding that since we have found no proof whatsoever in more than 30 years of black hole evaporation, CERN will give him a second chance ('it might be possible to observe this (black holes) at CERN, in Switzerland... So I might get a Nobel Prize after all'). While Wilczek knows if Higgs is not found, his work will get a revival. It seems that scholar ambition is more important to our Nuclear Physicists than the survival of the human species. Unfortunately neither Hawking nor Higgs are right, because we have a perfectly tested theory of mass and gravitation, called General Relativity, which Einstein formulated a century ago, and today theorists are upgrading with the new mathematics of Fractals into 'Fractal Relativity'^{18b,24-26}, the most promising theory of time and space of the XXI century, which also will enter the limelight once the Higgs Hoax is discharged. As one of his main proponents²³, obviously, the experimental falsification of the Higgs would have been also beneficial to my career but bioethical considerations in this case are to me far more important than scholar ambition.

22 January 1977: *Scientific American*, "The Quantum Mechanics of Black Holes." In that pretentious article, which Hawking closes with the sentence, 'Einstein is double wrong' (despite making his fortune with a book, 'A brief history of Time', dedicated to explain Einstein's theories of Time), Mr. Hawking, following Wheeler¹⁰ affirms that black holes have 'no substance', but are mathematical fantasies, which destroy information, as he does not acknowledge 'Duality', the reality of 2 arrows that create the future species of the Universe, energy and *information*, the dominant substance of life and black holes. *Such outdated thesis departs from XIX century physics*, when only the arrow of entropy was known, but it has been falsified 'ad nauseam' in serious articles and popular magazines. In fact today black holes are studied in exactly the opposite terms: they are considered *the most informative=massive objects of the Universe, since in terms of Duality, mass is, as Einstein explained, and Wilczek confirms in his conferences (www.lhcdefence.org), the physical in-form-ation of the Universe, whose frequency bends energy into curved form* (see cover of *Sciam* November 2004 at:

<http://www.physics.unc.edu/research/theory/gchep/images/sciam-cover.jpg> : Computing black holes.)

Yet quantum physicists still pretend to substitute Mr. Einstein's work on mass, with their outdated, XIX C., entropic models born out of their worldly specialization in energy and weapon's research, to the point they call the 'information' arrow so evident in life beings, 'negentropy', the negation of entropy, as if life were an 'odd' exception. And they affirm that the Universe is dying (min. 8 of visual document).

23 <http://journals.iss.org/index.php/proceedings50th/article/viewFile/29/200> The 2 arrows of time are obvious to everybody who is alive. Since, besides the arrow of entropy=energy and death, there are multiple cycles of in-form-ation and life, which Darwin explained with his work about morphological change. Even if 'Doctor Death's' prize (28) cannot be given to anyone who believes in Theory of Evolution - since in-form-ation, form, was not properly mathematized when Nobel died. All this changed when, at the end of the XX century, information was mathematized properly with the discovery of fractal equations that create 'form', in-form-ation, not only in life but in most structures of the Universe. In essence a fractal equation is a self-generative equation that repeats the same forms of in-form-ation, in different sizes and scales, breaking constantly energy into new in-form-ations, aging your skin into form and the vacuum space into cyclical vortices of masses and charges, balancing the entropy of the Universe and making it immortal (min.16.26 of visual document). It was the most important discovery in Time theory of the last decades, which fractal theorists, like Mandelbrot, Mehaute, Nottale and this author, have applied to multiple sciences, showing that we can describe the Universe as a '*fractal system of energy and information that constantly self-reproduces all its beings*' (nt.25, Adenda J). Einstein also accepted the arrow of information, as he understood mass as an attractive, accelerated vortex of Gravitation (Equivalence Principle), whose cyclical frequency of rotation 'in-forms', creates temporal information, which is the ultimate meaning of mass. So he believed, as Duality is proving today, that the Universe was a steady state of balances between the arrow of physical information that creates galaxies and mass and the arrow of entropy/physical energy that creates dark and light energy. In other words, XXI century science is proving Einstein and Darwin right once more, in their understanding of physical and biological information and Mr. Hawking and CERN wrong, in their obsession for the arrow of energy. But by the time quantum physicists accept Einstein's arrow of mass, the information of matter, and Darwin's arrow of evolution, instead of ignoring and judging the work of millions of scientists who study life and information as having 'no merit', they might have killed us all. In that regard, all theories of time depart from the first scientist of History, discoverer of the experimental method, Aristotle, who defined time as the perception of change in the Universe. And so he affirmed that a theory of time should be a theory of change, like every Philosopher of Science has done ever since. Then he proposed, as we do in Duality, 2 arrows, wills or substances in the Universe, information and energy, responsible for the 2 types of 'times'=changes science studies, biological and physical change. If we translate his wording to modern scientific terminology we should talk of the arrow of morphological, informative change, which defines the processes of life, aging and Evolution, as an accumulation of information that happens in all the species of the Universe (Exhibit J). And he called the arrow of energy, translational change or movement, which happens in the physical realm. Thus, he divided the study of times in 2 different sciences, Biology, the science of form, of in-form-ation and Physics, the science of energy and matter. In the modern age, those 2 types of times-changes would be further developed by Darwin in Biology (information arrow) and Galileo in Physics (energy arrow). Further on, Galileo added to verbal logic, the language of Greek Science and Biology, a new language, mathematics, to calculate with precision translational change with a new type of device, a machine called the clock, that could measure the rhythms of change in the motion of beings. But clocks were simple, quantitative mechanisms that could not describe the morphological, in-form-ative, qualitative changes of the cycles of life and death (exhibit 'J'), which were, therefore, ignored by physicists for centuries to come. Thus, physicists became specialized in the arrow of energy, of expansive movement in space, which they called 'entropy' and causes also the processes of bigbangs (physical death) and biological death, which is an overdrive of energy that kills and simplifies the information of life. As specialists on energy, Physicists would also make all the weapons of modern history, since weapons are mechanical devices that release an overdrive of energy that kills human beings. And since physicists ignore all what they cannot mathematize, this lead them to ignore the 2nd arrow of time, in-form-ation, the arrow of life. Thus, Physicists by the very essence of their 'reductionist' vision of time, are geared to destroy the Earth, seeking the pure energy of the bigbang, thinking the Universe is all about bombs and explosions, not about information and the creation of life (min. 10 of the visual document). For that reason, even after Einstein proved that physics also has an arrow of creation of information, the arrow of gravity that bends space into mass in black holes, Hawking, a quantum physicist stuck in XIX C. entropy, affirms that Einstein is double wrong, and black holes have

only energy, entropy, and evaporate information. And he finds many fans among die-hard entropy physicists and the Nuclear Industry CERN represents.

²⁴ <http://www.independent.co.uk/opinion/master-of-a-narrow-universe-stephen-hawking-is-on-a-voyage-to-stardom-but-unable-to-navigate-in-the-human-realm-1510340.html> Regarding Hawking's absurd idea that Black holes are time machines or doors to other 'baby Universes', this error stems from his ignorance of all other sciences, which study processes of change in time²³. Indeed, since physicists only study translational time, the change in the position entities have in space, and they do so with a single 'rhythm of change' that of the clock, even Einstein, the most brilliant of them, affirms that 'time is what a clock measures' and 'time is the 4th dimension of space'. This is truth only of translational time that happens in space and physicists measure with a mechanical clock, but not of all the times=changes of reality and all the rhythms of change, which each species measures with its own clocks. In reality there are infinite changes in the Universe, regulated by many types of clocks, circadian clocks in life, studied by Biology, historical and economical cycles study by those 2 sciences, etc. And most of those changes are morphological, qualitative, certainly the changes that cause the life/death cycle, the ones that most matter to mankind, as we do not move at light speeds, when Relativity matters or are microscopic beings, when quantum movements matter. So we should talk of Times=changes not of a single Time in the Universe; and respect all sciences as equal, making the sciences of human change, Biological and Sociological sciences, the center of our inquiry. It is within those wider concepts of time, when time travel becomes an absurd idea, because each species and region of the Universe has its own rhythm of time, and so it is impossible to synchronize all those changes and move the entire Universe, made of infinite time cycles, back together, as if all beings had only a single clock-time. So black holes are not time machines and cannot evaporate information, as Hawking believes. Physicists however only understand mathematics; so they don't consider even the existence of all those other time clocks and qualitative changes. Instead, they define translational time with a clock and a formula, $v=s/t$; that is, $time=space/speed$. And then, since they don't read Aristotle and ignore the duality of the Universe, they 'forget' what translational time is and think they are talking about all the times of the Cosmos. So Hawking confuses Galileo's and Einstein's formulas of time as movement, with all the changes of all the beings of the Universe, including all the life/death cycles of morphological change. And so, because black holes stop any movement, and t in those formulas of translational time returns to zero, he naively thinks time has stopped in the entire Universe and so a black hole is a time machine that will allow you to travel back to the past and kill your grand-father (min.23 visual document). Ultimately the problem of Physicists is not so much one of ignorance but of arrogance. An ant knows little about the Universe, but it doesn't pretend to be over the Pheromonal Laws of its Queen (in the case of Hawking, to be above the Laws of the Scientific method) nor it feels to have a 'special knowledge', ignoring the wealth of discoveries and hard work of all other ants of 'science', as quantum physicists do, causing some of their absurd errors. As the article on The Independent explains, Mr. Hawking responds to his falsification by philosophers of science, saying that 'they call me naive and simple-minded', not because he ignores the Laws of Science and the most obvious truths about time²⁴, but because Physics is a 'special knowledge', unlike Biology, the science of information and life, which he considers 'not sufficiently fundamental', since all 'the intelligent people in his school studied physics' (quotes from his book 'Baby Universes'). Thus, he concludes that his falsification has nothing to do with his theories being wrong, according to the Scientific Method, but it is the problem of Philosophers of Science, given the fact that 'many of them are failed physicists who found it hard to invent (*not to discover*) new theories and so took to writing about the philosophy of physics instead'.

²⁵ <http://www.sciam.com/article.cfm?id=the-self-organizing-quantum-universe>.

<http://journals.iss.org/index.php/proceedings50th/article/viewFile/29/200> Fractal Relativity uses fractal mathematics to explain a Universe with 2 'fractal scales', the quantum world and the Cosmos. Because of his use of 2 scales of reality and 2 arrows of time, energy and information, it is simplifying the absurd, complicated models of the Universe sponsored by quantum physicists like Hawking that uses only 1 arrow of time, entropy synonymous of energy and death and tries to unify all the forces of the Universe in a single scale – the quantum scale. The process is similar to the revolution brought about in Astronomy by Copernicus, when he placed correctly the sun in the center of the solar system, simplifying the absurd models of Ptolemy that put the Earth at its center. This is not liked by most physicists, who love to be the 'high priests' of science. In the same way Middle Age Popes used a complex 'Latin jargon' few people could understand, they like to use complex mathematical models, which impress the layman, but have often little to do with reality. Since in Science the fundamental rule of truth is Occam's razor; that is, the simplest theory is truth. Thus, the trend towards simplification seems unstoppable. Unfortunately if Fractal

Relativity is truth, as the article of this link published in Scientific American explains, Hawking's idea that causality doesn't exist in the Universe and time travel and black hole evaporation is possible, is false. For that reason, Dr. Roessler, an expert in Relativity and Chaos Theory, and myself, considered the pioneer on Fractal Time Theory, oppose his outdated speculations about time travel and evaporating black holes, and by extension, CERN's experiments that might create those black holes on Earth and extinguish us.

26 <http://dinamica-de-sistemas.com/revista/0906e.htm>

<http://journals.iss.org/index.php/proceedings50th/article/viewFile/27/201>

The great discoveries of science depart from logical principles, not mathematical probabilities, as Quantum Physicists pretend, since mathematics is a language derived from logic. That is why Mr. Einstein in his paper on Special Relativity dedicated several pages to clarify wrong concepts about ether²⁸ and light, and only a few formulae to establish the biggest revolution on time theory of the XX C. which physicists of their age initially ignored for being so simple that a 'high school student' could make them. Logic consistency and simplicity however are synonymous of truth, not complicated mathematics and aberrant logic, as Hawking fantasies are. In that regard, the Universe cannot be unified as quantum physicists believe, with a single arrow of time/future, entropy, synonymous of energy and death; since it is constructed with 2 arrows, energy and information, which Einstein described in Physics and Darwin in Biology (Addenda J). Further on, its structure is scalar, fractal. So particles evolve into molecules that evolve into cells that evolve into organisms that evolve into societies. Yet in all those scales, *the geometrical forms of lineal, energetic movement and cyclical clocks of information remain, because the line is the fastest distance between two points and the cycle the geometry that accumulates more information. Hence, the same morphologies of energy and information repeat in all its scales*: particles of information are cyclical as our heads and cameras are; while energy fields are lineal, as our bodies that move our heads and our air planes are. All this means that its 2 main long range forces, gravitation and electromagnetism, cannot be unified from the perspective of *a single energy force*, as quantum theorists pretend, neither we can analyze the macro-cosmos of stars, galaxies and planets, *studying the quantum world, as CERN pretends to do*, because the quantum world is 'a different scale'. So if we don't study social organisms of history with the biochemical laws of cells, we shouldn't use quark cannons to study the cosmos, *but telescopes and other instruments that study the Universe directly. This is perhaps the most important consequence for this suit, of the Fractal, geometrical, Unification Equation* of the constants of electromagnetic forces and gravitation: we exist in two self-similar fractal scales, the gravitational cosmos and the electromagnetic microcosms, and so CERN's pretension to 'study the Universe' with the LHC is bogus. For the same reason, the Standard Model of quantum particles *don't require any gravitational forces*, a puzzle that bothers those die-hard quantum entropists that want to reduce it all to their particles of study. *Which is the only thing* LHC will research, since it is irrelevant to the study of the Cosmos and the origin of the Universe, both theoretically and experimentally²⁶. Thus, Einstein's work on Gravitation and mass, upgraded by Fractal Relativity, and telescopes, are the theoretical and experimental tools scientists should use and invest on to resolve the details of the Universe. Regarding the Unification Equation in itself, which I presented at the *International Congress of Duality* last year, it is of lesser importance to this Court, but due to its simplicity - once its conceptual logic is explained - I will bring it here as a mathematical proof of the falsity of Hawking's work, CERN's pretensions and Amici's 'ad hominem' disqualifications. The search is for a formula, deduced from one of the 3 possible descriptions of a geometrical, attractive 'superfluid vortex' of any force (*similar to a hurricane vortex that attracts air*), from where we can obtain *theoretically* the Universal Constants of electromagnetism, q, and Gravitation, G, a feat never achieved before, which *cannot be falsified, as such result has null probabilities of happening by chance*. Those superfluid vortex that accelerate closer to the center of the 'hurricane' have 3 mathematical formulae of increasing complexity, Newton's, Poisson's and Einstein's. If we use the simplest notation of Newton (Einstein adds just precision to the calculus), we can write an equation that describes a 3-dimensional vortex that absorbs space-time in cosmological space or electromagnetism in the microcosmos of quantum space-time: *Universal Constant (q or g) x Mass(sun or proton)=w²(rotation speed of Earth or electron)x r₃(Earth or Bohr orbit)* By substituting the values of the solar system (Sun-Earth's system) and the main particle of the quantum world (Hydrogen atom) we obtain the value of G, never deduced theoretically, and a value for q, the coulomb constant of electromagnetism, *as a gravitational vortex*, $\square\}10^{40}$ times stronger, which is the exact theoretical strength of electromagnetism, a force $\square\}10^{40}$ times stronger than gravitation. Since Earth's angular velocity, w, is 2×10^{-7} radians per second; its orbital radius is 149×10^9 metres and M, the Sun's mass is 2×10^{30} kg. Thus $G= 6.6 \times 10^{-11} \text{ kg}^{-1} \text{ m}^3 \text{ rad. sec.}^{-2}$, in accordance with experimental evidence. While the Proton mass is 1.6×10^{-27} kg; an electron's angular speed is $4.13 \times 10^{16} \text{ rad. sec.}^{-1}$; and

Bohr radius is 5.3×10^{-11} metres. So we obtain a value for q equal to $1.5 \times 10^{29} \text{ kg}^{-1} \text{ m}^3 \text{ rad. sec.}^{-2}$. Thus the Unification Equation proves Einstein right and Hawking, CERN and quantum physicists wrong. Since Fractal Relativity not Quantum Gravity (that is, a geometrical unification, departing from the long range forces, not an algebraic one, departing from the short range forces of quantum particles), has achieved this feat. Thus the equation that CERN pretends to resolve, not with the power of the mind but by smashing masses at light speed and 'see what happens', forgetting Einstein's concept that all the big discoveries of science are done with 'Thought Experiments', should no longer be an alibi to switch on the LHC. Further on, when the formulas of electromagnetism are translated to the jargon of gravitation, they show that an atomic nuclei made of quarks, as those hadrons LHC will collide, has the Schwarzschild radius of a micro-black hole, suggesting strongly that quarks are the fractal atoms of pulsars and black holes, which are hadrons of the next scale, Einstein's frozen *quarks stars* that will be formed at CERN and never evaporate, as quarks cannot evaporate. *And so those black holes will obey the strict rules of Relativity and will accrete the Earth.*

27 <http://www.physorg.com/news76314500.html>

28 http://imagine.gsfc.nasa.gov/docs/ask_astro/answers/971111e.html

While there are small variations in the mass of moons, most of them fall within the range of $\pm 2.5/3K$ degrees, when converted into black holes. Further on, if Black holes are Einstein's frozen stars, they will be top quark hadrons²⁶. That is, they will be as all hadrons are, all equal in weight, reflecting the same background radiation all over the Universe. In the same manner all protons have the same mass and all electrons the same charge. Thus, the remaining mass of the irregular moon, once a Moon MACHO is formed will be expelled as energy in the Nova process of conversion of moons into primordial black holes as it happens when stars become stellar black holes.

29 <http://www.latimes.com/news/science/la-sci-planet22-2009apr22,0,5993692.story> :

This past April, 2009 we found the 1st planet similar in size to Earth, so close we can extrapolate the existence of millions of them.

30 http://nobelprize.org/alfred_nobel/biographical/articles/tagil/index.html

31 <http://discovermagazine.com/2006/sep/einstein-nobel-prize>

Today nothing remains of ether theory and physicists think that theory to be an 'obvious absurdity', but the same physicists think Mr. Hawking, who denies Einstein's theory of black holes, is right, because his equations of time travel are 'so beautiful' and he describes black holes as mathematical fantasies without substance, which seems to be a proof the Universe is Pythagorean¹⁰ (made of mathematical equations not of substances). If we survive CERN, in a few years, when we observe those black holes closely, we will realize that they have substance, which can only be ultra-dense quarks, as those CERN will mass together to produce them, and the mathematical fantasies of Hawking and his denial of Einstein will seem absurd, an act of arrogance that is risking our lives, without asking us permission. Einstein was also a pacifist, who opposed Mr. Nobel's industries and so the Nobel committee denied him repeatedly the prize. 20 years latter, the Nobel committee finally gave him the prize without mentioning his proof that ether did not exist (Relativity theory). But quantum physicists never accepted his criticism of probabilistic, mathematical fantasies. **During the Nazi age, they wrote a book '300 physicists against Einstein'**, in which they tried to prove by sheer numbers Mr. Einstein wrong. **He answered 'if I were wrong, one single physicist would be enough'**. Today CERN follows an 'ad hominem' campaign against those who challenge its experiments, backed by all kind of experts that want to prove their 'bizarre theories'. Instead we want CERN to reason their arguments under the Laws of the Scientific Method. **And for that only one Amicus is needed, if he is right.**

V. RECOMMENDATIONS TO THIS COURT.

29. The Nuclear Industry created LHC under the 'Ethics of Technology' so clearly expressed by Eric Fromm, father of Political psychology:

‘Technological civilization is programmed by the principle that something ought to be done because it is technologically possible. If it is possible to build nuclear weapons, they must be built, even If they might destroy us

all. Once this principle is accepted, humanist Values (something has to be done because it is needed by man) are Dethroned and technological development becomes the foundation of ethics'.

This ethical statement explains what LHC is all about: to make a bigger, more powerful atomic cannon, because we have the capacity to make it, *regardless of its harmful collateral effects to mankind*, since it means big contracts for technological companies and jobs for Nuclear Physicists, unemployed after the end of the Cold War³². As CERN said: 'Whatever the discoveries ahead for physicists working at LHC, the experiments will, according to its Chief Scientific Officer, Jos Engelen, "keep physicists off street corners for a long time to come³³". *Yet when the costs and risks are so high, public funding should be used in a wiser way on research on other areas of science that will provide jobs and harmless results³⁴*. Nuclear, Quantum Physicists engaged in those experiments work to achieve their scholar ambitions, or make a living at CERN and we cannot expect any control on their side. Their mastery, constructing weapons of mass destruction, is not paralleled however in the realm of knowledge, since their reductionist theories about time and the Universe have long been superseded by the work of Einstein, and the recent advances on Duality and Fractal Relativity that prove Einstein's standard theory of Mass and gravitation, *the in'form'ative force of the Universe*, right²²⁻²⁶. Instead, Quantum Physicists like Hawking, who denies Einstein, use obsolete XIX C. models that define the Universe only with the arrow of entropy and Death, considering that information, the arrow of life, doesn't create the future, which is false (*Addenda J*). So they research cosmic explosions, pretending they will reveal the meaning of it all, when they just can bring death to mankind. Since if Einstein is again right, Hawking's black holes will blow up the planet. Thus, it seems an act of arrogance and irresponsibility to risk our

lives to prove the best physicist of history wrong³⁵. In the last century Nuclear physicists were never made accountable for their actions, to protect a misunderstood concept of national security, called MAD (Mutual Assured Destruction³⁶). Instead, during the cold war, they were hailed everywhere as '*primus inter pares*', a position which in science if any, corresponds to the Philosopher of Science that defends the bioethics and truth of the scientific method, as judges are '*primus inter pares*' who rule on the truth and ethical standing of Plaintiffs and Defendants. As a result of those undeserved privileges, today quantum physicists feel over the Laws of the Scientific Method that falsifies their theories³⁵ (IV) and the Laws of Democracies - since during the cold war Europeans gave the Nuclear Company 'diplomatic status'. But our security policies have changed. We have now Environmental Laws and Laws that protect the Security of this Nation, opening a legal avenue to prevent this potential genocide. In that regard, a ruling against further evolution of Nuclear weapons is long overdue. By establishing again the Rule of Law and the supremacy of the arrow of life over the arrow of entropy and death that CERN researches³⁷, this Court can give the first step in the right direction Mankind has to take, if we want to have a sustainable future for this planet.

30. The legal question this Court is asked to resolve is the existence of Federal Jurisdiction over CERN. In my view if the Court has the will to judge, such jurisdiction can be obtained either from NEPA, given the enormous quantitative expenses the American Government has placed on those experiments, or from the Patriot Act and other laws against terror and dangerous substances, given the enormous number of potential victims an accident at LHC will produce (14). Thus, the true question this Court must resolve is the existence of such will and need to judge a scientific experiment that can put

in harm's way potentially billions of human beings; a machine which is redundant and of inferior quality to a harmless telescope, if its purpose is to study the Universe and the unlikely cosmic big-bang (26, *Addenda H*); a Company, which constantly lies to the press and politicians to extract billions of \$ of tax-payer money. Must this behavior, this Company, this experiment that can provoke the biggest genocide of history, happen unchecked? Obviously not. This Court, which represents the people of America also at risk, should for that reason allow a fair review in a due process of law of Plaintiffs' arguments in defense of mankind, regardless of the institutional power and prestige of the Nuclear Industry. It should not be impressed by a presumption of Authority that *Amici* have violated misinforming and despising the oath of truth due to this Court. Since the citizens of this country have the right to proper information, guaranteed by their Constitution, which this Court should uphold, especially in issues that endanger the life of Americans without consent.

32 http://www.newyorker.com/reporting/2007/05/14/070514fa_fact_kolbert

Some contracts went to Russian physicists who previously worked for the Soviet military; in this way, the collider has provided a livelihood for scientists whose employment options might otherwise include selling nuclear secrets.'

33 <http://news.bbc.co.uk/2/hi/science/nature/4229545.stm>

34 In that regard, this case is of supreme importance for mankind, for 2 reasons:

- If the theoretical debate favors standard science (Einstein on black holes, Wen and the Standard Model of negative strange matter in strangelets, *Addenda F*), CERN will commit the final genocide of History. And this Court, by not allowing a trial on that potential genocide, will have failed to protect the life of the American People, the supreme value a Federal Court is asked to protect by the American Constitution, its Bill of Rights and the Natural Law of all societies.

- Yet even if the bizarre theories of Mr. Hawking were right and our present understanding of strangelets were incorrect and we survive CERN, this will not be the last technology that puts the human species at risk. Bigger accelerators will be built until they reach the threshold of creation of pulsar and black holes. Self-reproductive nano-bacteria will be built that can destroy the ecological balance of this planet and make life impossible, as Bill Joy, founder of Sun Microsystems, pointed out in *Wired* magazine (<http://www.wired.com/wired/archive/8.04/joy.html>). Further into that future super-robots will reach such degree of evolution that might make mankind obsolete... It is for that reason that the choice between technological²⁹ and human ethics has become one of the fundamental issues of this century. In that regard, this is the first case of a new brave world in which mankind, for the first time since its apparition as a species, faces a growing possibility of extinction under the ethics of technology, unless the judicial, executive and military branches of our governments decide to put some basic limits to those ethics and

resurrect the ethics of life. Instead of worshipping blindly all kinds of technologies, even those that can extinguish us, we should put legal limits to the evolution and reproduction of those specific lethal machines as we do with biological weapons and lethal virus... While this might not be enunciated expressly in the constitutional laws of this country, written before those lethal machines were even conceived by the human mind, it seems to me that Laws like the Patriot Act, which treats both kinds of lethal substances under the same legal umbrella (nuclear weapons and biological weapons) expresses tacitly the need to put such limits. The present administration, with his emphasis in the defense of the environment and its opposition to Nuclear Proliferation, seems to point out also the need to establish limits to the free reproduction and evolution of lethal, Nuclear technologies, such as the LHC.

35 Hawking affirms 'Einstein is double wrong'. Yet if Einstein is right, black holes will never evaporate and instead will accrete the Earth. For that reason, because no human being should risk his life, without his knowledge, for the scholarly ambition of a few physicists, I ask this Court to allow an open discussion in a due process of law of the real dangers of CERN's black holes; instead of trusting Nuclear Physicists, given their ignorance and indifference towards the arrow of life this Court must defend. That ignorance is only paralleled to their arrogance and desire to play 'God', which they reduce to the inverse arrow of $\text{Death}=\text{evil}\neq\text{Live}$. Indeed, Mr. Hawking ends his best-selling book about Einstein's Relativity, which he now denies with his theory of evaporating black holes ('A brief history of time'), observing that (Physicists) 'know the mind of God'. And so one imagines He, as Mr. Engelens (17), Mr. Higgs and perhaps our *Amici*, can 'invent' any speculative theory, regardless of its truth, since God, after all, if He exists, should convert in $\text{truth}=\text{reality}$ whatever is in His Mind. Already Kepler said, when he applied the mechanist clock to the Universe, 'God has waited 5000 (Biblical) years, to find an intelligence like His (Mr. Kepler), able to understand his Work'. Yet their God is 1 single arrow of 'time', as Oppenheimer clarified after seeing His Work - the 1st Atomic explosion,: 'I am become Kali, God of Death'. In that sense, LHC is a machine of death, disguised as knowledge, whose only purpose is to defend a billionaire budget and a wrong concept of the Laws of Time and Science. Teller also convinced Truman of the need to evolve Hydrogen bombs with the excuse of knowledge, because he had developed the Industrial Process that could make them (a statement which can be seen in 'The Atomic Bomb Movie'). He wanted to create one H-Bomb so huge that could Nuke an entire country, but Eisenhower, a military man, who knew better how to defend his country, called the Soviets and agreed not to make bigger H-Bombs, as Mr. Obama and Mr. Sarkozy should do in this case, cancelling CERN's bid for the ultimate weapon. On the opposite extreme of those attitudes we find Professor Einstein, who made only 'thought experiments', as most scientific discoveries are done with the power of the Human mind, not of machines. He also became a pacifist and fought against Nuclear Proliferation, correcting his initial 'error', (the letter to Roosevelt that started the Nuclear age), in a proof of humility and ethical standing that I ask *Amici* to imitate.

36 MAD theory - first expressed by Nobel³⁰ to justify his industries of Death - was the excuse to keep churning nuclear weapons in the Cold War era. This self-interested, industrial thesis, promoted by Nuclear Physicists in both sides of the war, pretended that an arsenal able to cause the Mutual Assured Destruction of the Soviets and America would deter its use. We found recently that New York was not obliterated during the Cuban Crisis by sheer chance, as it was revealed recently on declassified material: the Soviets gave order to fire a nuclear missile but one of the submarine's commanders, **Arkhipov**, refused http://en.wikipedia.org/wiki/Vasiliy_Arkhipov **So we survived MAD because of the ethical standing of a single man**, not because the Nuclear Industry's strategy was appropriate... Might this Court show the same restraint in a similar crisis... Since physicists accustomed to MAD for decades, seem to consider a chance to blow up the Earth, 'business as usual', given the legal immunity they have enjoyed in the past for their crimes against humanity. But the cold war is over and so we have experienced a shift on our security policies, from developing nuclear weapons, to controlling polluting industries and restraining the access to those weapons of fundamentalist groups, who pretend to impose their dogmatic beliefs with violence, not with reason. In that regard, there is little difference between a religious terrorist group that uses the Jihad to impose his beliefs and Mr. Hawking, who risks mankind pretending to prove a theory of evaporating black holes that 30 years of experimental evidence and the scientific method have falsified (<http://www.lhcdefence.org>, min.23-30). Both are committing acts of terror, imposed to millions of people, who are not aware of them, neither share those beliefs, nor wish to put their lives at risk for them and whose will should be respected in a Democracy. In that regard, the attempt to dismiss this suit without trial, on the basis of a 'de facto' authority, which *Amici* pretend to have above the Laws of Science and the Laws of our Democracies, should meet an adequate response by the legal authorities of our nations.

37 For a full understanding of the Duality of Time arrows in the Universe, and the origin of Physicists' obsession for the arrow of energy, you can see the visual document we have prepared to raise awareness of this potential genocide among non-specialists at <http://www.lhcddefence.org>

CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 29(d) and 9 Cir. R. 32-1, I certify that the foregoing Reply Brief is proportionately spaced, has a typeface of 12 points, and contains 6,994 words, excluding cover, references to Notes and Addenda, Notes, Titles, Table of Contents, determined using the word count feature of Open Office, the software application used to prepare this brief.

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