

WRMA Press Release

Rebuttal to Hall Decision

March 27, 2006

Events in Review

"The hall's report that is posted on their Web site (www.freshwater-fishing.org) does not include thorough, good science, because we were not asked to do thorough, good science...In general, I don't like science to be used as a tool to manipulate opinions," Arnold said. "You should never go to several experts and cherry pick the results you want."

-Dr. Douglas Arnold to Milwaukee Journal-Sentinel, March 4, 2006

For reasons only the Executive Board of the National Freshwater Fishing Hall of Fame can provide, it would appear that the decades-long controversy over the legitimacy of the 1949 Spray record has evolved into a quintessential conflict between an irresistible force and an immovable object. In this case, the irresistible force is the truth, the immovable object the Hall of Fame and the crown jewel of its vaunted records program, the 1949 Louis Spray All-Tackle World Record. At stake is the integrity of the brass ring of our sport.

On October 20, 2005, the WRMA submitted the groundbreaking 93-page Spray Summary Report to the Hall (www.worldrecordmuskiealliance.com), to date the most scientific and comprehensive report of its kind ever compiled on the subject of historical record muskellunge.

Given the preponderance of scientific and circumstantial evidence to the contrary, the WRMA was compelled to accept the physical impossibility of the current Hall of Fame All-Tackle Record to have weighed anywhere close to the 69lbs, 11oz claimed by Spray in 1949. Therefore, it remains our recommendation that this and all Spray records be immediately disqualified from current or historic record status by the Hall.

We at the WRMA believe that the burden of establishing adequate proof for this or any angling record must fall squarely on the shoulders of the claimant in order for a record to be valid. By this test, the Spray fish not only fail, but fail miserably.

It is also abundantly clear that this same burden of proof was borne by both the Art Lawton muskie and Mabry Harper walleye when the Hall ruled to disqualify these world records in spite of strong supporting documentation accredited by esteemed Field & Stream review committees.

Nevertheless, on January 16, 2006, the Hall held a closed press conference to announce their decision to retain the Spray Record. In doing so, the Hall of Fame's Executive Board not only voted in clear opposition to established Hall precedent, but also instituted an entirely new voting protocol which plainly favored the Spray record.

In the wake of the controversial 1992 decision to disqualify the Lawton muskie record, current Hall Executive Board President John Dettloff stated the following:

"Some individuals have made the petty, and unfounded accusations that the National Freshwater Fishing Hall of Fame disqualified the Lawton Muskie in an effort to 'bring the record back home to Wisconsin'. But to anyone knowing the facts, this easily can be dispelled. The fact is, the decision to disqualify Lawton's fish was not made by a handful of "Hayward people," but by a world board of approximately 40 Advisory Governors made up of people from all over the United States, Canada and even abroad."

In July of 2005 the WRMA received the following notification from the Hall:

"The decision to reject or concur with a protest rests solely with the combined vote of the full Executive Board of Directors and the Executive Director."

Thus, contrary to precedent set in the case of the Lawton muskie, the decision to uphold the Spray record was to be made by a "handful of Hayward people" – eight, to be exact.

The Hall did not proactively author a defense for either the Lawton muskie or Harper walleye records as they did with Mr. Spray's muskie. Instead the Hall of Fame, in conjunction with its World Advisory Board, acted as both judge and jury in each case, while offering little consideration for the defense of each ousted record.

In contrast, it is apparent that select members of the Hall's Executive Board began to mount an internal defense of the Spray record immediately upon receipt of the WRMA report. Contrary to precedent set in the case of the Lawton muskie and Harper walleye disqualifications, voting members of the Hall's Executive Board did not have the opportunity to objectively evaluate evidence contained in the WRMA report on its own merit. Instead, it is clear that the Hall took the position that the Spray record was valid and attempted to prove this assumption.

An analogy may be made to a judicial process that allows the same individuals to act simultaneously as both judge and attorney for the defense. Clearly, the prosecution is working from a position of disadvantage.

Further, in the case of both the Lawton muskie and Harper walleye, the Hall of Fame did not deem it necessary to obtain its own independent professional peer review of the amateur photo analysis used to disqualify these properly-documented historic records.

In the case of the Lawton disqualification, the following appeared in an undated column (circa 1992, courtesy Ramsell historical files) written by the late Pulitzer Prize-winning Chicago Tribune Outdoors writer, John Husar:

“...Ted Dzialo, president of the Hall of Fame, has admitted he and his board accepted Dettloff’s allegations without any independent forensic analysis.”

Similarly, in the case of the Harper walleye disqualification, Dzialo appears to have been so convinced of the ability of amateur photo analysis alone to determine conclusive measurements of historic record fish that he personally initiated a protest of the Harper record based upon the contents of an Outdoor Life article on the subject (Sternberg, Dick; "Walleye Record Hoax," Outdoor Life, June 1996, pp. 66-67.

Given that Mr. Harper’s walleye was properly-witnessed with affidavits in accordance with Field & Stream guidelines, it is evident that the Hall considered Sternberg’s amateur photo analysis as sufficient grounds for disqualification.

“Bad Science”

In the case of Mr. Spray’s Muskie, the Hall again acted contrary to established precedent by not accepting the peer-reviewed findings of professional, credentialed photogrammetrists. Instead, the Hall of fame sought the assistance of independent mathematicians to refute the findings presented by the October 20 WRMA Spray Report.

The “Decision Regarding the World Record Musky Challenge” (www.freshwater-fishing.org) clearly states that based upon the work of these individuals, Mr. Spray’s record was indeed valid, and that the professionally peer-reviewed 10-20-05 Spray Report provided “inconclusive results” deriving from a “failure to follow the scientific method”:

“...the photos of this musky actually prove-through the use of same plane, direct scaling techniques that were employed by two professors of Mathematics (both of whom hold doctorates in Mathematics)-that the reported length of Spray’s musky (63½ inches) is in the "ballpark" (the approximate range) of where it should be.”

--“Decision,” pp.1

“The WRMA kind of hangs its hat on a photo-analysis of the most common photo of Spray and his muskies,” said Emmett A. Brown Jr., executive director of the Hall of Fame. We found that the WRMA did not use good science...I don’t think their scientific method would pass muster in eighth grade science.”

-Emmett Brown to the Milwaukee Journal Sentinel, 1-16-06

It is important to note that the “bad science” in question was professionally peer-reviewed by an independent firm (Imaging Forensics) which found that the, “methodology, inclusion of valid variables and stated margin of error were all appropriate for the images analyzed based on their content and the information known about the objects in the photographs.”

Given the above, it was the WRMA’s immediate suspicion that the outside experts sought by the Hall had been misled – either intentionally or unintentionally, due to crucial misrepresentations of basic data - into performing calculations which superficially appeared to support the Spray record.

Hall Ignored Evidence

Shortly after the Hall’s January 16 press conference, it was revealed that the Hall had chosen to ignore evidence that did not support Mr. Spray.

Professor Douglas Arnold, Director of the University of Minnesota’s Institute for Mathematics and its Application, provided the following evaluation to the Hall at its request:

“It is not possible to estimate the size of the fish from the photo.....we can only give the upper bound on the size of the fish...the fish is shorter than 63”, perhaps considerably so.”

In addition, Dr. Arnold later provided the following electronic correspondence:

“In particular, my conclusion, that the fish is certainly shorter than 63” and perhaps considerably so is consistent with the DCM statement that the length is 53.6 inches plus or minus 1.5 inches.”

This evaluation is not to be found within the body of the Hall’s “Decision Regarding the World Record Musky Challenge.” Indeed it was Dr. Arnold and not the Hall of Fame who finally made this information available to the general public.

In the wake of Dr. Arnold’s revelation, Hall Executive Director Emmett Brown publicly admitted to the existence of two other, unnamed outside experts who also provided analyses to the Hall. Like Dr. Arnold, the work of these two individuals is not to be found within the pages of the Hall’s “Decision”.

Hall's Professors Call for Independent Evaluation

As by now most are well aware, on February 21, 2006 the WRMA's suspicions that the Hall's "Decision" document relied heavily upon crucial misrepresentations of basic data were confirmed.

Three mathematicians were quoted in the Hall's January 16 "Decision Regarding the World Record Musky Challenge": Professor Joseph Gallian of University of Minnesota, Professor Dorian Goldfeld of Columbia University, and Professor Douglas Arnold, Ph.D. University of Minnesota Director, Institute for Mathematics and its Applications.

The Hall's "Decision" document clearly states that the work of these individuals **proved** "...that the reported length of Spray's musky (63½ inches) is in the "ballpark" (the approximate range) of where it should be (pp.1)". Nonetheless, on February 21, 2006, these same three professors came forward to announce that they had sent the following letter to Hall Executive Director Emmett Brown:

"We are all three concerned that the Hall did not fully understand the results of our analyses and also are all concerned by the manner in which the Hall chose to communicate with us. On February 1, 2006 we wrote [this letter](http://www.ima.umn.edu/~arnold/muskie/) to Emmett Brown, the Executive Director of the National Fresh Water Fishing Hall of Fame, about this. We have not yet had a response from Mr. Brown or anyone else at the Hall." (<http://www.ima.umn.edu/~arnold/muskie/>):

The professors go on to make the following recommendation to the Hall:

"We believe that a much more definitive result can be obtained from the photos which are available. To this end, it is our recommendation that an independent group, including experts on mathematics and photogrammetry, be impaneled. This group should be supplied with the full information available, including all known photos of the fish in original format, and allowed to pursue the evidence as they feel most justified."

Lastly, from the Professor's letter to the Hall of Fame:

"However, since the fish is clearly in front of the angler, the length 63" must be reduced by a factor equal to the ratio of the camera distances. For instance, if the camera is 8' from the angler but only 7' from the fish, the fish length would change to 63" × 7/8 or about 55". This is the origin of Prof. Arnold's statement that "the only conclusion that we can draw with certainty is that the fish is shorter than 63", perhaps considerably so."

The WRMA wholeheartedly agrees with the professors' recommendation. In fact, both WRMA and Hall experts alike made this identical recommendation to the Hall's

Executive Board multiple times during the weeks leading up to the Hall's January 16 closed press conference.

The WRMA would like to take this opportunity to thank the good professors for making their recommendations and concerns available to the general public, and for helping to illuminate the course of action the Hall should have adhered to from the very beginning.

Since the Hall has not seen fit to contact the professors regarding their recommendation and concerns, we would also like to take this opportunity to express our sincere apologies that the Hall's actions have caused them to be placed in such an awkward and unpleasant position.

The Hall Responds

In the wake of this rather startling revelation on the part of the Hall's own experts, Executive Director Emmett Brown stated the following:

"I read the letter," said Brown, "and my feeling is the letter supports our decision that ultimately a photo analysis is inconclusive...if that's the case, you have to fall back on the documentation and the witnesses who witnessed the weighing of the Spray muskie and their affidavits are numerous."

-Mike Norris, www.webstreetcafe.com, Feb. 22, 2006

"In the grand scheme of things the documentation -- the affidavits -- is the strongest piece of verification that the fish existed in the reported dimensions," Brown said. "Photo analysis can be and is subjective."

-Duluth Tribune, Feb. 23, 2006

It is important to remember that **just one month earlier** this same "subjective" science was used by the Hall to 'prove' that "the reported length of Spray's musky (63½ inches) is in the 'ballpark' (the approximate range) of where it should be".

This begs the all-important question: is "bad science" any science which makes it incumbent upon the Hall to disqualify the Spray record?

At any rate it is obvious that the Hall did not regard photo analysis as anything resembling a "subjective" science prior to the Professor's letter. Furthermore, it is important to bear in mind that both the Mabry walleye and Lawton muskie records were turned over by the Hall based upon the work of amateur photo analysis in spite of equally strong eyewitness documentation in the form of affidavits that these two fish also "existed in the reported dimensions."

Per esteemed former Hall Advisory Governor, Mr. Brad Latvaitis

“The Hall makes a point that the Spray record includes strong documentation supporting the size of the Spray muskie. The Hall ignores the fact that similar strong supporting documentation, accredited by esteemed Field & Stream review committees, supported former world record fish that have been disqualified by the Hall, notably; the Lawton musky and the Mabry walleye.”

Key Resignations at Hall

“Prior to the Hall’s recent decision with regard to the Louie Spray record muskie protest, Mr. Latvaitis regrettably resigned his 30 year position as Hall Advisory Governor, Hall researcher, Hall advisor on fisheries matters and as Chairman of the Awards (Enshrinement) Committee due to the manner in which the Hall, led by Hall President Dettloff and Executive Director Brown were handling the Spray investigation. Likewise, I too, with great regret, resigned as Hall Fish Historian and World Record Advisor for similar reasons, after 35 years of volunteer service to the Hall”.

-Larry Ramsell

‘Ramsell’ and ‘Latvaitis’ are names synonymous with the history of muskellunge record keeping. Working alongside late Hall founder Bob Kutz, both worked tirelessly to first build and then maintain the Hall’s vaunted record keeping programs. Combined, Larry Ramsell and Brad Latvaitis have willingly donated more than 65 years of volunteer service to the Hall.

Sadly, both felt they had no choice but to resign their positions as Hall advisors over the manner in which the Hall dealt with the WRMA’s *Spray Summary Report*.

Although neither is currently a member of the WRMA, given their vast personal contributions to the history of muskellunge record keeping we have chosen to let these gentlemen speak for us in addressing the Hall’s pervasive bias in upholding the Spray record.

Mr. Latvaitis’ letter to members of the Hall’s Executive Board and Mr. Ramsell’s “Lawton Muskellunge Recommendation Review” may be found at www.worldrecordmuskiealliance.com.

We are grateful as muskie anglers for the contributions these men have made to the betterment of our sport.

Conclusion

“Recently the Hall issued a Press Release upholding the Spray record. The release is blatantly biased and clearly exhibits the Hall’s contempt for the WRMA. It is extremely unprofessional and technically incompetent. The Hall’s review of the Spray musky is reminiscent of a poorly written high school science term paper. It is an embarrassment to the Hall and should be an embarrassment to the Hall’s membership.”

-Brad Latvaitis

We at the WRMA have reviewed the Hall’s “Decision” in its entirety, and find the misrepresented “science” said to be contained therein lacking both professional etiquette and technical merit. We stand steadfast behind our original finding that Mr. Spray’s muskie was less than 55.1” long, and certainly nowhere near the 63.5” in length as claimed by Mr. Spray.

Sadly, instead of the Hall acting as an impartial entity willing to objectively evaluate the totality of the evidence pertaining to the Spray record, it is apparent that select members of the Hall began to mount an internal defense of the Spray record immediately upon receipt of the WRMA report.

Further, it is obvious that the Hall’s “Decision” authors chose to selectively focus their attention on refuting **only** one of four pieces of photogrammetric evidence (1949 common photos) presented by the 93-page Spray Summary Report. Then, after dismissing this evidence (9 pages, chapter 2), used this supposed “refutation” as a rationale for ignoring the remainder of the evidence against Mr. Spray’s muskies.

In the wake of the February 21 revelation on the part of the Hall’s own experts that their work cannot be used to refute the findings of the original WRMA Spray report, it is clear that the WRMA’s findings have yet to be properly addressed – much less refuted – by the Hall of Fame.

This leads to only one conclusion: **our protest of Mr. Spray’s records is still unresolved, open and pending.**

The Hall’s newly instituted \$1,500 fee designed to dissuade “frivolous protests,” cannot rightfully be applied to the 10-20-2005 WRMA report.

Recommendations

As the Hall’s defense is founded upon a fundamental misrepresentation of work performed by the professors independently, the WRMA questions whether or not Hall’s Executive Board can be trusted to serve as a reliable intermediary between independent professionals and the general public that it was established to serve.

Therefore, we feel it is incumbent upon the Hall – if it wishes to remain a viable record-keeping agency - to act in accordance with its own established precedent in disqualifying “*properly-documented*” historical records and act immediately to disqualify Mr. Spray’s muskies, or turn the matter over to a wholly-independent professional arbitrator for a proper review - and then unconditionally accept the results.

Should the Hall choose to follow their own experts’ advise and empanel a wholly independent group of photogrammetrists and mathematicians to evaluate all information available, evaluating all known photographs in their original format, the WRMA agrees to unequivocally accept whatever conclusion these independent experts might arrive at.

Given that the Hall has proven itself an unreliable intermediary between technical experts and the general public which it was originally established to serve, and in order to avoid the public relations debacle that has resulted from the Executive Board’s misrepresentation of the work of professors Arnold, Gallion, and Goldfeld, we recommend that the Hall not publicize any photogrammetric solution without the input of “Photogrammetric Solution for Historic Muskie Lengths” author, Dan Mills of DCM Technical Services.

Furthermore, as the Hall has yet to issue a public apology to Mr. Mills or any of the independent experts whose work has been misrepresented by the Hall’s “Decision” authors, we feel this gesture to represent only the most basic professional courtesy.

Those interested in the entirety of the WRMA’s 10-20-2005 report, Larry Ramsell’s review of the Lawton record protest, Brad Latvaitis’ recent letter to the Hall of Fame, and recent articles about the Hall of Fame’s record controversy may be viewed at www.worldrecordmuskiealliance.com

Evidentiary Review: 10/20/05 Spray Report

The Hall's "Decision Regarding the World Record Musky Challenge" asserts that the DCM Technical Services photogrammetric analysis pertaining to the true length of Mr. Spray's 1949 muskie represents the WRMA's "primary piece of evidence."

It is presumably upon this basis that the Hall chose to selectively focus the overwhelming majority of its attention on refuting only this portion of this evidence which demonstrated that the length of Mr. Spray's 1949 muskie was in fact 53.6" +/- 1.5", and not 63.5" as originally claimed.

That the Hall of Fame invested a considerable amount of time and energy in formulating a defense for Mr. Spray's claim in the face of this evidence would alone seem to belie Executive Director Brown's recent claim that the Hall views photogrammetry as a "subjective" science.

To be clear, the WRMA stands firmly behind both the methodology and findings of DCM Technical Services. However, we feel strongly that no one piece of evidence presented by the WRMA Report should be viewed as "primary". Furthermore, at no point during the report did the WRMA itself advance this claim.

Upon closer examination and in light of recent events it becomes readily apparent that that the bulk of the Executive Board's "Decision" constitutes little more than a heavily biased and technically incomplete piece of controlled "spin" that does much to muddy the waters of intelligent debate. As such, this WRMA rebuttal will not attempt to introduce new material as much as clarify important concepts and terminology.

To accomplish this goal, we will first provide the reader with a straightforward defense of the evidence as originally reported in the original WRMA Spray Report. Next, we will address the pervasive pro-Spray bias evidenced by the Hall's Executive Board throughout its treatment of the WRMA "protest".

Finally, we will conclude with our rationale for judging that the Hall's "Decision Regarding the World Record Musky Challenge" has dealt a potentially fatal blow to the integrity and credibility of the Hall's vaunted record keeping programs.

Chapter One: Introduction

In addition to stating the basic mission and purpose of the WRMA, chapter one of the 10-20-05 report included a letter from Mr. Kim Presbury, a noted trial attorney and Past President of the Illinois Trial Lawyers.

Mr. Presbury made the following statement regarding the photo analysis and documentation of the Louis Spray World Record:

“I have had an opportunity to review the documentary evidence and photo analysis that has been obtained concerning the Louis Spray World Record Muskies. I have also had an opportunity to review the statements that were provided at the time the record was recorded and statements and newspaper articles provided subsequent to the event.

It is my opinion as a trial attorney for the last 30 years and as the Past President of the Illinois Trial Lawyers, that the photo analysis provided would be admissible in a court of law and that the conclusions drawn from that photo analysis conclusively prove that photos provided of the alleged world record muskie do not represent a fish of the size stated by Louis Spray.”

*The Hall did not address Mr. Presbury’s statement.

Chapter Two: Photogrammetric Solution for Historic Muskie Lengths

This section of the 10-20-05 Spray Report details DCM Technical Services’ findings regarding the length and width of the 1940 and 1949 Spray records:

“The final lengths for each of the Muskies were found to be:

1940 Muskie length – **54.8” +/-3”**

1940 Muskie width – **9” +/- 1”**

*1949 Muskie length – **53.6” +/- 1.5”**

1949 Muskie width – **8.7” +/- 0.5”**”

* Only piece of photogrammetric evidence addressed by the Hall.

Part One – “Bad Science” and the Hall’s Treatment of the WRMA’s Photogrammetric Solution for Historic Muskie Lengths

“The WRMA kind of hangs its hat on a photo-analysis of the most common photo of Spray and his muskies,” said Emmett A. Brown Jr., executive director of the Hall of Fame. We found that the WRMA did not use good science...I don’t think their scientific method would pass muster in eighth grade science.”

-Emmett Brown to the Milwaukee Journal Sentinel, 1-16-06

The Hall's 1-16-2006 Decision begins with the flawed premise that because the WRMA report used a "scientific methodology" that did not employ a control experiment, and therefore failed to follow "...one of the most basic principles of the scientific method – **that of conducting a control experiment** (emphasis Hall)".

Presumably, this "failure" also provided the basis for Executive Director Brown's comment to the Milwaukee Journal Sentinel, cited above.

In fact, "The Scientific Method" refers to a specific set of time-honored principles which, guide scientific research and experimentation, whereas "scientific methodology" may refer to any given scientific practice or procedure.

That the WRMA report utilized a particular scientific technology does not in turn mean that it failed to follow one of the most basic principles of the scientific method in not employing a "control" **simply because no experiment was conducted.**

Photogrammetry is the science of taking measurements from photographs. What is to be measured in a given photograph is irrelevant. The PhotoModeler software employed by DCM Technical Services is not new technology; it has already been validated in countless peer-reviewed scientific journals. Therefore, it does not constitute an experiment - **and in turn does not require a control.**

The accuracy of the solution arrived at by DCM Technical Services for the 1949 Spray record (53.6") is reflected in the margin for error (+/- 1.5") which, accompanies this peer-reviewed result of a maximum of 55.1" for Mr. Spray's Muskie.

Those interested in a more detailed discussion of this technical subject may review DCM's response to the Hall at: www.worldrecordmuskiealliance.com.

Key Points from the DCM Rebuttal

"In other words, Brown said, for the software to be effective, a photo must have "two strong points of perspective," but it was determined there was only one strong point of perspective by university professors, thus rendering computer analysis unreliable."

-Emmett Brown to the Wisconsin Outdoor News, 3-9-2006

"While the right vanishing point is not as strong as the left, a solution was obtainable which is evidenced, among other analysis methods, by the quoted residuals included in the DCM report. Residuals are a measure of accuracy in a photogrammetric solution and it does not appear that either of the professors were provided with the DCM report in

its entirety for comment or even would have been qualified to comment on its entire contents.”

-DCM response to the Hall of Fame 1-23-06

It is important to note that the above statement by Hall Executive Director Emmett Brown was made fully five weeks after having received formal notification from the “university professors” in question that their work cannot be used to refute the DCM analysis.

It is clear that Mr. Brown is not qualified to comment upon the highly technical science of Photogrammetry. Please consider the following an attempt to clarify misinformation contained within the Hall’s “1-16-06 “Decision” document and subsequent newspaper articles.

1. “One of the most basic principles of the scientific method – that of **conducting a control experiment**” (emphasis, Hall) does not apply to the “Photogrammetric Solution for Historic Muskie Lengths” because DCM Technical Services did not conduct an experiment.
2. **PhotoModeler is not primarily used in accident reconstruction cases**, this fact was explicitly stated to the Hall by both DCM, and PhotoModeler. Furthermore, photogrammetry is simply the science of making measurements from photographs. The specific object being measured is irrelevant.
3. DCM Technical Services is uniquely qualified to use the PhotoModeler software, as it currently instructs all of the PhotoModeler courses offered worldwide. It follows that DCM is more than familiar with basic photogrammetric principles.
4. **The right vanishing point is not “considerably weak”**. The professor who made this statement was not provided with the quoted residuals included in the DCM report. Furthermore, it is unlikely that this esteemed professor has the background necessary to adequately assess this information, even if it had been properly provided by the Hall.
5. The “80 assumptions” quoted in the Hall’s report are not “assumptions”, but rather marked measurement points. The only true assumption included in the DCM report pertaining to the 1949 record was that Spray’s bent right arm was, at maximum, 84” above the ground. It is important to note that **this assumption made by DCM Technical is a generous maximum - and cannot correctly be used for direct scaling.**

These 80 assumptions owe to the Hall’s improper use of a partial quotation taken from a much longer statement made by Mr. Dan Mills of DCM Technical Services. The complete Q & A is as follows:

Q: “18. *How many assumptions* (emphasis, Hall) *were used to arrive at DCM’s conclusion that the musky in the photo that was analyzed was approximately 53.6” (a simple number indicating how many assumptions were used will suffice.)”*

A: (Mills): “*That is an unanswerable question. Any marked point could be considered an assumption. Numeric assumption and one other base one are listed in #19.*”

Here, “marked points” are to “assumptions” what “scientific methodology” is to “The Scientific Method”. In each case, a rather awkward and **very** inappropriate semantic shift is required for the Hall’s rebuttal to even begin to make sense.

Furthermore, the question itself is inherently flawed, because the question assumes multiple assumptions.

6. While, the Hall argues that the PhotoModeler software could not be used to derive a perspective-corrected measurement of the Spray fish, it proceeds to utilize the PhotoModeler ground point in its “same plane/direct scaling” method. Either, the methodology employed is reliable, or it is not. The Hall cannot both judge the DCM analysis “bad science” and use or agree with a portion of this same “bad science” to attempt to defend Mr. Spray’s muskie.

7. The statement on the part of the Hall that, “same plane/direct scaling” has “long been used in the field of photogrammetry” is simply not true. This method is not utilized in any form of reliable photogrammetry. True projective photogrammetry of the kind employed by both DCM Technical Services and Imaging Forensics (DCM peer reviewer) is the method of choice by professionals in photogrammetry.

8. The only way that “same plane/direct scaling” will yield moderately accurate results would in fact require “same plane-*same film plane*/direct scaling”. In other words, it is required that the fish plane and film plane be near perfectly parallel.

Given that the camera was positioned at a point beneath the Spray muskie, any further discussion of this “same plane/direct scaling” method need simply state that this method cannot be responsibly applied to the photographs in question.

The lines that the Hall provided to their professors for evaluation were also incorrectly represented. As DCM indicated to Mr. Dettloff, the + sign located at the top left of the marked point was the measurement point, resulting in an interval of A-BB - **not A-AA or B-BB that the professors evaluated.**



Photogrammetrist Misquoted by Hall

“Using the same plane, direct scaling technique has long been utilized in the field of photogrammetry as a means of determining distances in photos. James O. Harris of Harris Technical Services in Florida explained that he has often used this technique in investigating auto crashes for his company.”

-Hall’s “Decision Regarding the World Record Musky Challenge”

*“Firstly, this method is not utilized in any form of reliable photogrammetry. After James Harris of Harris Technical viewed the information that the NFWFHF attributed to him, he indicated that **what he said was taken out of context** (emphasis, WRMA) and not supporting their “same plane/direct scaling” method. He also added “I never did see the photo in question, declined to even look at it to perform any type of analysis as it is beyond the scope of what I do anyway, and referred them to Eos Systems for further possible assistance”.*

-DCM Response to Hall

Given the abundant pro-Spray bias previously demonstrated by the Hall, it is likely that a reasonable person would question how such an extensive series of misrepresentations could occur.

The following represents an excerpt from the resume of Hall Executive Board President, Mr. John Dettloff, as originally attached to the body of the 1992 research which led to the disqualification of the Lawton record (courtesy, Ramsell historical files):

... "I feel my education, combined with my 20 years spent here catching + measuring over 1200 legal muskies, perhaps makes me the person best capable of calculating a muskies true size off a photograph.

I have an Art background and use(d) to paint a lot of pictures, which for a while I was selling. My Art experience gave me knowledge of perspective.

I have a very extensive mechanical design, architecture, and engineering background from school...My experience in this field also gave me knowledge of perspective as well as turned me into an extremely precise measurer and taught me how to use precision measuring devices such as calipers. I won awards in school in this field and excelled in it. My grandfather was an engineer and I have all of his calipers. I can measure a human hair with them. I've taken just about every advanced math course offered in both high school + college. From Algebra to Trigonometry to all stages of Calculus I have taken and gotten very high marks. I was one of the best math students in our school.

Combine my schooling with the fact that I've been, in effect, professionally weighing + measuring muskies for the last 20 years – and I am the man to assess muskie photo's. I have the reputation for being a tough weigher. I don't round off measurements or give extra ounces or inches. I've disappointed a few people for calling 19# 15 oz muskies 19 # 15 oz and not 20# or calling 29# 13 oz muskies 29# 13 oz and not 30#. I call all fish to the OUNCE and to the fraction of an inch and have done so for some 1200 legal muskies."

-John Dettloff, Art Lawton protest, 3-25-1992

It becomes difficult to reconcile Mr. Dettloff's claims of mathematic expertise with the obvious misrepresentations of fundamental data contained in the 1-16-2006 Hall report.

To be clear, the WRMA has no direct evidence to suggest that a willful misrepresentation occurred on the part of any member of the Hall's Executive Board, and as such has no interest in accusing the Hall's "Decision" authors of intentional wrongdoing.

However, what becomes increasingly evident is that regardless of how this error came about, as a result the Hall's Professor's were misled into performing calculations which superficially appeared to support the Spray record.

Further, the area marked “Bottom of Angler’s Heal” (heel) is incorrect. This line falls short of properly establishing the bottom of the angler's boot heel, thus diminishing Mr. Spray’s six-foot height and skewing the Hall’s results in favor of Mr. Spray by extension his muskie.



Again, the WRMA has no direct evidence to suggest any willful misrepresentation on the part of the Hall’s “Decision” authors. Instead, we can only assume **this latest error to be further evidence of fundamental inaccuracies, which pervade the Hall’s “Decision” document.**

1949 Muskie width – 8.7” +/- 0.5”:

The Investigation of Arthur Lawton's world record Muskie" dated March 25, 1992, by current Hall Executive Board President, Mr. John Dettloff, relied upon Dettloff’s own

amateur photo analysis to “prove” that Mr. Lawton’s long-standing 64.5” Field & Stream record muskie in fact measured 57”.

For the moment we would like to only focus upon Mr. Dettloff’s “Girth, length, weight relationship study” (courtesy Ramsell historical files):

"Knowing that the Lawton Muskie was a maximum of 57 inches long, if we knew it girth then use the above mentioned formulas, we can calculate the approximate weight of this Muskie. There is a way of calculating Lawton's Muskie's girth from knowing his Muskie's side width. By calibrating his muskies length and side width off a PHOTO EXHIBIT 1 in using a ratio with the actual length of his Muskie being known (57"), the actual side width of his Muskie calculates to be 9 inches. Through much calculating with my (John Dettloff) available data for large muskies, I've extrapolated a formula for calculating a muskies girth from knowing a side width (SW).

Upon testing the formula: $2(SW-1)+2(.58)(SW)=G$ or girth, on many large muskies, over 48 pounds, its accuracy was almost always within an inch.

Plugging in the length of the Lawton's Muskie (57") and the side width of his Muskie ("9"), a muskies girth calculates to be 26.34 inches. $2(9-1)+2(.58)(9)=26.34.$ "

The WRMA finds this work by John Dettloff to be of critical importance for three reasons:

- 1.** The Hall did not apply this same standard to Mr. Spray’s muskie. In fact, the Hall entirely ignored the professional photogrammetric analysis presented in the WRMA report, which states that the width of Mr. Spray’s 1949 muskie was 8.7" +/- 0.5
- 2.** That the same rounded nine inch width should apply equally to both the Lawton and Spray muskies is unquestionable - whether you agree in the formula or not.
- 3.** Applying Mr. Dettloff’s formula to the Spray muskie results a girth of 26.5”. This fact represents an exaggerated girth of almost 5” for Mr. Spray’s muskie.

This information alone could have been evidence enough for the Hall to disqualify Mr. Spray’s muskie - **and this based on the work of its own Executive Board President.**

On ‘Qualified Professionals’:

Not long following the October 20, 2005 release of the WRMA Spray Report, Hall Executive Board President John Dettloff began a lengthy campaign of email correspondence on behalf of the Hall to Mr. Dan Mills of DCM Technical Services.

Both the WRMA and DCM Technical Services found Mr. Dettloff’s communications suggestive of a fundamental inability to either understand - or perhaps accept - the implications of Mr. Mills’ findings.

In all, the Hall demanded that Mr. Mills satisfactorily answer approximately 70 questions regarding DCM Technical Services’ photogrammetric analysis of the 1949 Spray muskellunge. The WRMA, DCM Technical Services, and former Hall Advisory members alike found the bulk of these questions to be lacking in technical merit.

Furthermore, both the WRMA and Mr. Mills found the often hostile and accusatory tone of Mr. Dettloff’s communications to be inappropriate.

This behavior in conjunction with Mr. Dettloff’s rather obvious personal interest in the preservation of the Spray record prompted the WRMA to formally request that Mr. Dettloff be removed from the proceedings, and once again requested the Hall of Fame secure the services of a wholly independent photogrammetrist to aid in interpreting the findings provided by DCM Technical Services.

Executive Director Brown replied with the following:

“I can assure you that the Hall’s Board of Directors is indeed intelligent enough to ask pertinent questions. Our Board is made up of highly educated, intellectual, and qualified professionals from a variety of fields of expertise.”

Mr. Mills’ response to Brown:

“I did not imply that you could not ask the questions. I suggested that from the nature of the questions that I had received from the Hall, you would be recommended to obtain the opinion of an expert in the field to help advise you. You have previously (and within this series of questions) asked me questions that ultimately will have no effect on the final results of the analysis and a qualified photogrammetrist would be able to help you discern that and advise you on what clarification, if any, was required. You are free to do as you see fit but it was my professional advise. While I am confident that your board members are “educated, intellectual, and qualified professionals from a variety of fields of expertise” I am not sure that any of them are photogrammetrists by profession.

That being the case, one of the questions that I pose is that, as indicated by Mr. Dettloff in a Dec 21, 2005 e-mail to me “Our board feels that, in order for a thorough peer review to have been conducted checking on the validity of your

assessment, the above information would have to have been known by the reviewer"... While not being qualified photogrammetric peer reviewers (though professionals in your own fields) the board can indicate with authority what a qualified peer reviewer (Imaging Forensics) would or would not need as part of their review? That has been the nature of my concern and advise to seek a qualified expert as part of your review."

It is clear that we are living in an age of ever-increasing specialization. As such, it is highly unlikely that the Hall had a better idea of what constitutes a proper, professional peer review than **Imaging Forensics**, the independent photogrammetric firm that peer reviewed the DCM analysis.

In the wake of the Hall's "Decision" the WRMA received well-intentioned criticism from both allies and adversaries alike who felt that we had made the 10-20-05 Spray Report too complex for the general public and the Hall's Executive Board to understand – that we had simply put "too much" into the report.

For members of the public who have experienced frustration with the highly technical nature of this discussion, we beg your patience. Sections of the 10-20-05 WRMA Spray Report were written with the understanding that they would be eventually turned over to experts able to provide a qualified analysis of these findings.

"In an interview, Arnold told me: "The hall's report that is posted on their Web site (<http://www.freshwater-fishing.org/>) does not include thorough, good science, because we were not asked to do thorough, good science."

-Dr. Douglas Arnold to Milwaukee Journal-Sentinel, March 4, 2006

For the Hall's "Decision" authors – individuals who have woefully misrepresented basic technical data after steadfastly refusing the assistance of qualified experts – we offer little sympathy. In fact, although no member of the Hall's Executive Board included a copy of credentials indicating a scientific background, this did not prove an obstacle for the authors of the "Decision" in commenting directly from, presumably, a position of personal expertise - on matters of science.

On 'Perspective' and the Limitations of Direct Scaling:

The American Heritage Dictionary defines "perspective" as "The technique of representing three-dimensional objects and depth relationships on a two-dimensional surface...the appearance of objects in depth as perceived by normal binocular vision."

Given this definition, it is easy to appreciate how the importance of “perspective” as it pertains to the field of photogrammetry – the science of taking measurements from photographs – cannot be overstated.

The magic of perspective becomes known early in the lives of young anglers, who are urged to hold childhood catches “out closer to the camera”. By the time we have become adults, eagerly leafing through the pages of our favorite fishing periodicals, we have grown so conditioned to viewing carefully-choreographed photographs of both amateur anglers and industry professionals alike that rely upon the effects of perspective to maximize the appearance of their catches that we barely take notice.

It is important to note that the limitations of direct scaling as applied to the known photographs of the 1949 Spray record claim were explicitly detailed to the Hall’s Executive Board by its own experts - as well as by DCM Technical Services in the original WRMA report - and then subsequently yet again.

Per Dr. Joseph Gallion, in a January 7 letter to John Dettloff:

“You have asked me to estimate the length of the fish in the control photo you sent to me on January 4, 2006. As I explained in an earlier e-mail, the computations I sent you in my earlier letter of December 14, 2005 are only valid if the camera is aimed at the fish in a plane parallel to the ground, i.e. the camera has negligible tilt from the ground. Under this assumption the length of the fish can be obtained by a ratio computation independent of the position of the photographer.”

It is important to note that Dr. Gallion’s assessment is not to be found at any point within the Hall’s “Decision Regarding the World Record Musky Challenge”. Furthermore, Dr. Gallion’s assessment validates the necessity for the very kind of projective geometry utilized by DCM Technical Services in formulating its original photogrammetric analysis:

*“After reviewing each of the photographs it was evident that perspective was present in each photograph and direct scaling of the angler’s height would not be possible to directly determine the length of the fish in question. Perspective, as seen in photographs, makes object appear larger as they get closer to the camera and the same object will appear smaller as it gets further away from the camera. It is perspective that makes train tracks that are known to be parallel appear closer together as they get further away from the camera. In all of the available photographs the angler is standing rearward of each fish which results in the fish appearing larger on the photographs than would appear if the angler was standing beside the fish at the time of the photograph being taken. This being the case the first undertaking was to scale the fish directly off of the photographs to determine the absolute maximum length of the fish. This maximum length was an overestimation of the fish length due to the angler being behind the fish but served as a boundary check for subsequent calculations. **Using this direct scaling***

method would not compensate for the effects of perspective (emphasis WRMA).”

In brief, the Hall’s “Decision” authors misapplied “same plane/direct scaling” to scale/measure the 1949 Spray fish in a manner, which could only achieve an inflated result. By definition, this method should not have been applied to any of the common photographs of the 1949 Spray record.

The same plane/direct scaling method can only be reliably employed if both the object and film are on the same plane – in essence, this requires a same plane-*same film plane* to direct scale an object – as stated explicitly to the Hall by both Gallion and Mills.

It is clear from even a casual viewing of this famous Spray photograph that it is simply not possible to directly scale this photograph, as it has a low angle perspective present, and therefore the camera (and film) are not on the same plane as the fish.

The problem with this approach is that the head of the fish is farther away from the camera than the tail, thereby increasing the distance between the pixels at the top of the image and skewing the results. An image with this type of perspective will always erroneously inflate the perceived length of the object because of the greater lengths between the pixels that are further away from the camera.

To summarize: due to the fact that the 1949 fish is positioned so that its head is a greater distance from the camera than the tail, a one pixel measurement at the top of the photograph will differ substantially from a 1 pixel measurement at the bottom of the photograph due to the tilt in the film plane. For this reason, **the 1949 Spray photographs cannot be directly scaled.**

For a layman’s proof of perspective, when one looks at John Dettloff in the Hall’s mount/control photo one immediately notices that the picture was taken almost straightaway with no camera/film angle perspective present. Whether it was an intentional act or by accident, it is clear that the object and the film could not have been lined up more perfectly.

When comparing this Hall of Fame claimed “control” with the most common photograph of the 1949 Spray fish, one need look no further than the subject’s eyes to determine that’s perspective is present. Clearly, John Dettloff is looking straight ahead, while Mr. Spray is looking down at his photographer and camera.



As stated earlier, the Hall’s Executive Board did not elect to include Dr. Gallion’s earlier e-mail correspondence with Mr. Dettloff within the text of its “Decision” As such; it is unknown what other shortcomings Dr. Gallion (or, indeed, the other unnamed Hall experts) warned Mr. Dettloff about in using this approach.

On ‘Unfettered Access’:

By now it is well known that outside experts were misled – either intentionally or unintentionally, due to crucial misrepresentations mentioned earlier which superficially appeared to support the Spray record.

For this reason, on 1/21/06 the WRMA made yet another formal information request of the Hall in accordance with the "complete and unfettered access" Emmett Brown (Muskyhunter.com, 1/11/06) has assured the general public that access has been generously granted to the World Record Muskie Alliance throughout our authentication of the Spray Muskie.

More specifically, in order to fully evaluate each professional’s unedited contribution to the Hall’s “Decision” document, we have requested that the Hall provide responses that were not included in the text on the Hall’s web site.

In truth, Emmett Brown's statement represents a work of pure fiction, for as of Brown's writing **every single formal information request on the part of the WRMA had been categorically denied by the Hall.**

In a September 29, 2004 letter denying the WRMA access to the reports prepared by John Dettloff regarding the Lawton, Hartman, Spray, Johnson and Haver muskies, Executive Director Ted Dzialo pointedly writes:

“Our thoughts are that an organization that is dedicated to independently authenticate the past and present all-tackle muskellunge records would be better served to develop its own investigation and research. Use of your own information would lend more credibility to your reported results than using information which has already been reported by some WRMA members as being flawed.”

Now, lest one conclude that Mr. Dzialo's response represents standard operating procedure, the following is an excerpt from a letter sent to Larry Ramsell from the late Hall founder, Bob Kutz, during John Dettloff's investigation into the Lawton record (courtesy, Ramsell historical files):

“John (Dettloff) spends a lot of time here (the Hall) researching, copying, etc. We allow it within reason to him or anyone because that's our public service purpose.”

In contrast, the following represents the Hall's response to the WRMA's latest 1/21/06 information request:

“One (only one) of your representatives may view our Spray archives. The first hour will be free. Additional time will be charged (payable on the day of viewing) at the rate of \$50.00 per hour or any portion thereof. No documents will leave our possession. Copies can be made at .25 cents per copy.”

An impartial observer can certainly understand the Hall's desire to charge the WRMA \$.25 per needed copy. However, we are confident that most will find a charge of **\$50 an hour** to conduct research at a library an exorbitant, unreasonable and prohibitive expense for the WRMA or any other nonprofit organization to incur.

At the very least, it is hard to construe how such a stipulation would represent the “complete and unfettered access” alleged by Executive Director Brown.

Furthermore, it would appear that current Hall Executive Board President John Dettloff was not charged **any fee whatsoever** when he himself was, in the words of late Hall founder Bob Kutz, taking advantage of the Hall's “public service purpose” by spending “...a lot of time here (the Hall) researching, copying, etc.”

Chapter Three: “Photogrammetric Solution for Historic skin mount Muskie Lengths”

Analysis reveals Spray mounts augmented considerably in relation to actual fish:

This section of the 10-20-05 WRMA Spray Report details DCM Technical Services’ photogrammetric evaluation of the skin mounts of Mr. Spray’s 1940 and 1949 record muskies.

In brief, the peer-reviewed photogrammetric findings contained herein showed conclusively that the mounts of Mr. Spray’s 1940 and 1949 record muskies were augmented considerably in relation to the actual fresh fish themselves. The Hall’s 1-16-06 “Decision” rebuttal document failed to demonstrate that the WRMA conclusions drawn from this evidence were invalid.

The analysis of Mr. Spray’s 1940 mount revealed that it had been augmented approximately 8.17% in length and 21.29% in width in relation to the fresh fish itself.

The analysis of Mr. Spray’s 1949 mount revealed that it had been augmented approximately 14.47 % in length and 8.51% in width in relation to the fresh fish itself.

Information pertaining to Mr. Spray’s 1940 record was submitted to the Hall to demonstrate a history of false record claims by Spray. This information is highly relevant to any discussion of the validity of the current All-Tackle World Record because **Hall protocol demands that a person caught cheating in a contest will have all of his records disqualified.**

Figure 5b depicts the actual fresh fish silhouette (red), and the actual mount silhouette (blue) in a comparison overlay.



Figure 5b – 1940 skin mount Muskie photogrammetric solution.

Fully one half of the DCM photogrammetric analysis pertains to Mr. Spray's 1940 record claim. Given the above-mentioned protocol, we find it irresponsible that the Hall simply dismissed all evidence pertaining to Mr. Spray's 1940 record as "innuendo," especially, when one considers that no portion of the 1940 jaw was claimed by the Hall to be "missing," as was the case with 1949 Spray record mount.

To date, this critical evidence against Mr. Spray's record presented by the original 10-20-05 Spray Report remains unchallenged. However, in the interest of brevity we will here only address misinformation arising from the Hall's defense of Mr. Spray's 1949 world record.

1949 Mount Analysis

The Hall maintained that the WRMA/DCM report only included a partial jaw measurement of the 1949 fish:

"Most likely, there is at least 2 to 3 inches of "head length" not visible in the photo (emphasis Hall)".

This is a false statement on the part of the Hall. Per the DCM report:

"These points (end of lower jaw) were identifiable on the 1949 skin mount muskies (pp.10)".

Lest there be no confusion here, DCM was able to identify the disputed lower jaw endpoint in all four of the 1949 photos submitted for their analysis.

Further, the DCM report clearly states 7.56" as a lower jaw length. This closely mirrors the Hall's own length measurements in section VI of their report, which should in and of itself negate this puzzling claim on the part of the Hall.

Per Brad Latvaitis, esteemed former Hall Advisory Governor:

"The Hall's review, using the newly discovered photograph, includes a discussion of a missing jaw. This claim is simply ludicrous".



Consider again that Dan Mills of DCM Technical Services is a certified expert who earns his living by deriving measurements from photographs, and that the work of DCM Technical Services was independently peer-reviewed by Imaging Forensics, a firm which also employs experts certified in this same science.

As amateurs, we see the end point of the jaw protruding from behind the rope just under the knot. The endpoint of the jaw extends to the knot and no further. The DCM report clearly shows the lower jaw ending just before the knot in the rope. It is easy to ascertain that the photo shows the jaw to end (the darker shaded area directly behind the rope) in the identical location as rendered in the DCM report.

Note: It is inconsequential to the present discussion that the lower jaw of Mr. Spray's muskie as depicted by the photographs is angled away from the camera. This fact is represented by Mr. Mills' photogrammetric solution.

There is no ambiguity here: the fact that there is no missing "jaw length" categorically refutes the Hall's argument on this subject. The **DCM analysis conclusively proved that the 1949 record was augmented by nearly 15%.**

Figure 9 depicts the actual fresh fish silhouette (red), and the actual mount silhouette (blue) in a comparison overlay.



Figure 9 - 1949 skin mount Muskic photogrammetric solution.

Chapter Four: Imaging Forensics Peer Review

This section of the *Spray Summary Report* details Imaging Forensics' peer review of the DCM Technical Services photogrammetric analyses.

A peer review is a process used to check the work of one's equals or "peers" in a given field of academia in order to ensure that it meets specific criteria. The goal of a peer review process is to verify that the work in question satisfies specifications for review, to identify deviations from established standards, and to provide suggestions for improvement.

As stated earlier, the least squares photogrammetric solution employed by DCM Technical Services is an established scientific technology that has been peer reviewed in scientific journals. Therefore, it does not constitute an experiment that must include a control to provide reliable solution.

George Reis of Imaging Forensics provided the following with respect to DCM Technical Services' "Photogrammetric Solution for Historic skin mount Muskie Lengths" and "Photogrammetric Solution for Historic Muskie Lengths":

"I have reviewed the two reports mentioned above for methodology, inclusion of valid variables and margin of error. In both reports, the methodology used was appropriate for the content of the photographs and the information available about the objects in the images. In both reports, all relevant variables were considered in the analysis. In both reports, a margin of error was provided that appears to be consistent with the available data and the methods employed in making the measurements. In my review of these reports I find that the methodology, inclusion of valid variables and stated margin of error were all appropriate for the images analyzed based on their content and the information known about the objects in the photographs."

*The Hall did not address Mr. Reis' professional evaluation.

Chapters Five -Ten: "Innuendo, False Assumption, and False Statements"

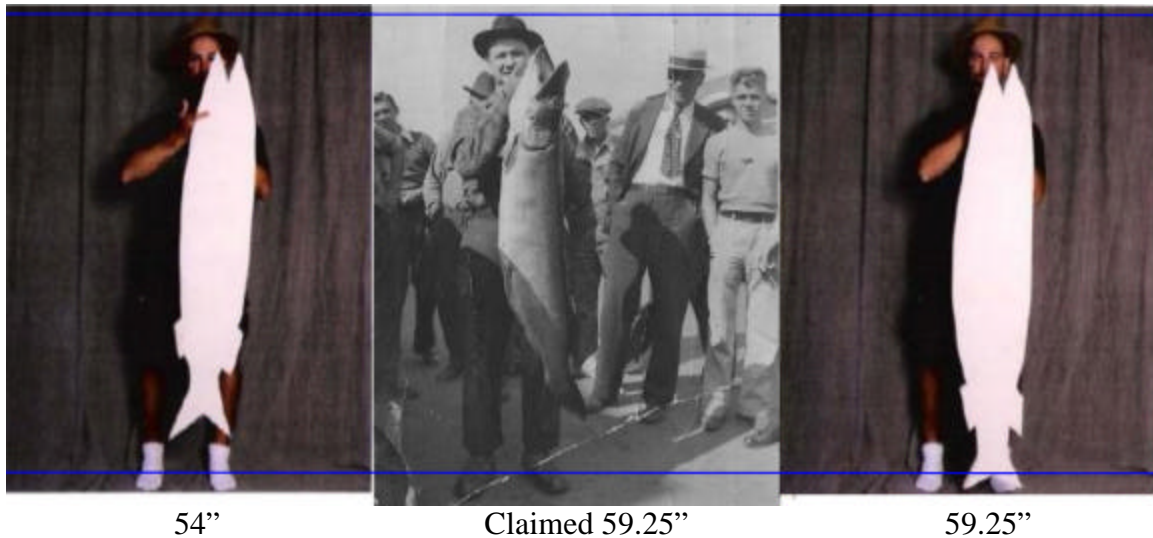
The Hall chose to simply dismiss the remainder of the WRMA's *Spray Summary Report* – 47 pages of evidence against Mr. Spray's record claim representing fully 51% of the informational content of the report – with the following statement:

“The bulk of the remainder of the WRMA report is full of innuendo, false assumption, and incorrect statements that basically serve as nothing more than an unfair character assassination against Louie Spray and all of the witnesses who had any involvement with his fish (“Decision,” IX).”

Therefore, the remainder of our rebuttal will simply re-state findings pertaining to the remaining five chapters of the *Spray Summary Report* without addressing commentary from the Hall, as regrettably it does not exist...with one notable exception, to be dealt with in our review of Chapter 9: An Investigative Profile of Louis Spray.

Chapter Five: 1940 & 1949 Photo Comparisons

It has often been said that a picture is worth one thousand words. The following represents a photo comparison taken from the 1940 visualization experiment as documented in this chapter of the WRMA’s *Spray Summary Report*. Those interested in viewing this chapter in its entirety may do so at www.worldrecordmuskiealliance.com
1940 visualization experiment:



Our visualization experiment began with this examination of photographic evidence relating to the 1940 Spray record in order to provide a broader base of information for our 1949 visualization experiment. It should be noted that the 1939 Spray record was never a consideration for this procedure as, incredibly, there is no extant photographic record of Spray with the fish said to represent his 1939 record. **Further, it is equally important to note that Mr. Spray's muskie was given every benefit of the doubt in the above comparison.**

The WRMA finds it striking that the Hall did not address, much less dispute, this section of the *Spray Summary Report*, instead opting to ignore it completely. Given that this same procedure was used by current Hall Executive Board President John Dettloff as part of his 1992 protest which led to the disqualification of Mr. Lawton's record, we find the decision to ignore this section of the evidence against Mr. Spray's record a serious breach of established precedent on the part of the Hall.

Chapter Six: Doug Petrousek Taxidermy Review

“Taxidermy is merely an artist's representation of a fish and the same observed differences that were brought out by the report prove to occur in many other muskies that are known to be legitimate; therefore, the accusations leveled at Spray's record musky in this section prove to be invalid.”

-Hall's Decision Regarding the World Record Musky Challenge

*“The mount of the Spray 69 pound 11 ounce world record musky was put on public display alongside Cal Johnson's mounted 67½ pound world record musky at the Milwaukee Sentinel Sport Show in 1950, where it was photographed and witnessed by literally thousands of people. Incidentally, **photos taken of the display clearly show that the Spray mount was noticeably longer than the Johnson mount** (emphasis, Hall), a fish which is still on display today.”*

-Hall's Decision Regarding the World Record Musky Challenge

The 10-20-05 WRMA Report presented two entirely separate analyses of Mr. Spray's record mounts, each prepared by a recognized expert in his field. **That these experts worked entirely independently and without communication with the other adds even greater significance to their findings.**

The resulting “Photogrammetric Solution for Historic skin mount Muskie Lengths” and “Doug Petrousek Taxidermy Review” both applied different criteria to arrive at the same conclusion – that the mounts of Mr. Spray's muskies were augmented considerably in relation to the “fresh” fish themselves.

It is important to note that Mr. Petrousek has mounted 36 Hall of Fame line class records, and was himself a firm believer in the Spray records until presented with photos of the Spray mounts for analysis. Nonetheless, the Hall dismissed Mr. Petrousek's expert report with the above-quoted assertion that taxidermy, “...is merely an artist's representation of fish...therefore, the accusations leveled at Spray's record musky in this section prove to be invalid.”

It is equally important to note that the Hall did not produce so much as a single expert's testimony to validate this claim. As such, this assertion would seem to belong solely to members of the Hall's Executive Board, none of who elected to attach a copy of their credentials as a taxidermist to the Hall's "Decision" document.

Nonetheless, this did not prevent the Hall from arguing simultaneously that photos of the 1949 Spray mount demonstrate the validity of Mr. Spray's record claim, maintaining that Spray's mounts were "...witnessed by literally thousands of people" and "...**photos taken of the display clearly show that the Spray mount was noticeably longer than the Johnson mount** (emphasis, Hall), a fish which is still on display today."

These two arguments are quite obviously mutually exclusive; either the Spray mounts are mere artistic representations, or hard evidence. Clearly, they cannot be both.

Per expert taxidermist Mr. Doug Petrousek:

*"Louie Spray claimed to have caught three [3] WORLD RECORD muskies. The first two [2] were brought to Karl Kahmann for mounting. The 1939 fish, as addressed in my analysis for WRMA, was a very poor representation of the fish as it appeared in photos with Alton Van Camp. My opinion is the fish was "enhanced" to reflect dimensions required in application for record status. Evidently Spray was happy with the work done by Kahmann since he brought his second WORLD RECORD to Karl for mounting in 1940. The 1940 mount is addressed in my contribution to the WRMA report. In 1949 Kahmann refused to mount Spray's third WORLD RECORD. The fish went to taxidermist Hugh Lackey. I found this fish to be distorted in such manner to lead me to believe it was intentional and not just an "accident" of the taxidermist's art. All three mounts show distortion in a **number of major areas** as compared to publicity photos of these fish. I believe these fish to be artificially enlarged in order to conform to a predetermined size which these fish did not measure up to when caught."*

Readers interested in the entirety of Mr. Doug Petrousek's rebuttal to the hall may visit www.worldrecordmuskiealliance.com.

1939 and 1940 World Records

The following represents the totality of the Hall's rebuttal to approximately forty pages of evidence presented by the 10-20-05 WRMA report which directly addressed Mr. Spray's 1939 and 1940 record claims:

“So, although the Hall hasn't seen anything in the WRMA report to indicate that Spray's first two record muskies had been false claims, we will not be making an official ruling on these fish.”

-Decision Regarding the World Record Musky Challenge

To be clear, the WRMA did not only ask for an official ruling. The WRMA report clearly states that these fish were included to show a pattern of fraudulent behavior by Mr. Spray.

As **Hall protocol clearly dictates that if a person is caught cheating in a contest, all of his records are disqualified**, evidence pertaining to Mr. Spray's 1939 and 1940 record claims must be considered relevant to any discussion of the validity of the 1949 record.

1939 Record Mount and Fresh Fish



Hall Ignored Prior Contest Fraud

The 10-20-05 WRMA report details the fact that Mr. Spray is on record as having often fished with a gentleman by the name of Widmer Smith. Smith was reportedly a good friend of Spray's who, according to Hall Executive Board President, Mr. John Dettloff, admitted to shooting a muskie from a bridge and then padding its weight to win the first place prize in the vaunted annual Field & Stream fishing contest (1938). It was during an outing with Mr. Smith in 1938 that Mr. Spray was able to end his three-year drought, a

span of time in which the angler who would go on to claim “Three Record Muskies in His Day” failed to land so much as a single legal muskellunge.

Immediately thereafter, beginning in the fall of 1938, Spray began entering – and winning - fishing contests with thinly-documented claims and questionable photos of trophy class muskellunge, up to and including his 1939 World Record with a the same **Widmer Smith signing an affidavit bearing witness to the authenticity of Mr. Spray's first record.**

The fact that Widmer Smith – a man who himself admitted a large contest fraud by shooting a prize-winning muskie from a bridge and then padding its weight to win first place in the vaunted Field & Stream annual fishing contest in 1938 - was one of the principal signatories to Mr. Spray’s 1939 World Record Claim does not represent mere “innuendo,” as alleged by the Hall.

Rather, it is one of the many pieces of circumstantial evidence presented by the original 10-20-05 WRMA report which together strongly indicate that Mr. Spray falsified all of his other record claims.

Weighty Issues: the Ethics of Ice and “Straw Men”:

A January 27, 2006 article by Dean Bortz in the Wisconsin Outdoor News depicts Hall of Fame Executive Board President John Dettloff hanging full bags of fluff ice next to a 51 inch muskie mount. This demonstration was also presented to a select audience of journalists present at the Hall’s January 16 closed press conference as conclusive proof that Mr. Spray could not have added the extra weight to his record in such a manner.

In this same article Mr. Bortz asks, “Could there have been other foreign objects, like a lead window weight, in the fish?”

Per Hall Executive Board President, Mr. John Dettloff:

“Loading up a muskie with artificial weight was a common practice among muskie fisherman back then. Whether to win a local fishing contest or for personal bragging rights, muskies were often filled up with water; had sash weights, coke bottles filled with sand, and other forms of artificial weight. Old time taxidermists have attested to this fact many times. An abnormal relationship between a muskie’s length and its weight has always been a dead give-a-way that a muskie’s weight had been altered” (Dettloff, John, Three Record Muskies in His Day, pp.152).

The above statement by Mr. Dettloff would appear to agree perfectly with the conclusions presented by the original 10-20-05 WRMA Report:

“It is readily apparent that neither fish (1940 & 1949 Spray records) came remotely close to possessing the length and girth dimensions claimed by Spray, findings which necessitate a singular conclusion: neither fish possessed the length and girth dimensions necessary to produce the incredible weights claimed by Spray, a clear physical impossibility unless the specimens were – as hinted by Kahmann – filled before weighing, a ‘...common practice among muskie fishermen back then’ (Dettloff, John, Three Muskies in His Day, pp. 152).”

The Straw Man argument is a rhetorical device that occurs when a person ignores an opponent’s actual position and substitutes a weaker, distorted, exaggerated or misrepresented version of that position in its place. This sort of "reasoning" has the following pattern:

1. Person A has position X.
2. Person B presents position Y (which is a distorted/simplified version of X).
3. Person B attacks position Y.
4. Therefore X is false/incorrect/flawed.

This sort of "reasoning" is obviously fallacious simply because attacking a distorted version of a position does not constitute an attack on the position itself. It would appear the Hall's argument is that enough fluff ice could not have been placed inside the fish, therefore, the weight of the fish was not augmented. This does not negate the possibility of other forms of deception.

The 10-20-05 WRMA Report clearly **did not** attempt to specify a means of artificial weighting employed by Spray and his associates. Nor did it attempt to prove that any specific form of artificial weighting must have occurred for Mr. Spray to have perpetuated his fraud.

Given Mr. Dettloff’s extensive knowledge of artificial weighing procedures that he himself asserts were “common” on the Flowage during Spray’s era, one must ask: If the Hall was not simply “cheerleading” for Mr. Spray’s record, then **why did it not perform a similar demonstration using water, sash weights, coke bottles filled with sand, or other forms of artificial weight?**

Chapters Seven and Eight: Review of Louie Spray Affidavits/ Summary

“But at least 10 people who saw the weighing and measuring of Spray's muskie signed affidavits,” Brown said.

-Hall Executive Director Emmett Brown to Associated Press, 1-17-2006

The Hall chose to dismiss the entirety of these two chapters as “innuendo,” stating that the WRMA’s report is “...essentially an accusation of fraud towards six individuals.”

Returning to the above-quoted statement by Mr. Brown, in fact there was only one individual (Jack Reinke) outside of Spray and his two boat partners who “saw the weighing and measuring” on October 20, 1949.

In other words, Jack Reinke represents the **one and only disinterested witness** who signed an affidavit attesting to the all-important weight of Mr. Spray's 1949 record claim. This fact is of critical importance, as the Hall requires a minimum of two disinterested witnesses to attest to the weight of a record application for an application to be considered valid.

Therefore, by the Hall's own standards Mr. Spray’s 1949 record lacks sufficient documentation to qualify as a world record.

In addition, one other individual (Nixon Barnes) actually claimed to have measured the length of Mr. Spray’s muskie (64”). It is important to note, however, that Mr. Barnes was also some form of witness to both of Mr. Spray’s previous world record claims.

We find the odds to be prohibitively against Mr. Barnes coincidentally being present at Herman’s landing on October 20, 1949, to witness now the third of Mr. Spray’s record claims. In fact, we feel it likely that the odds against this occurrence to rival those against one man catching three all-tackle world records in a span of nine years’ time.

Lawton, Mabry Disqualification Precedents Ignored by the Hall

Again, per esteemed former Hall Advisor, Brad Latvaitis:

“Sworn Statements and Affidavits”

“The Hall makes a point that the Spray record includes strong documentation supporting the size of the Spray muskie. The Hall ignores the fact that similar

strong supporting documentation, accredited by esteemed Field & Stream review committees, supported former world record fish that have been disqualified by the Hall, notably; the Lawton musky and the Mabry walleye.”

To review: Executive Director Brown explained (erroneously) that ten witnesses were sufficient to substantiate the dimensions of Mr. Spray’s muskie.

Mr. Lawton’s retired world record had **eighteen**.

1949 Spray Affidavit Shortcomings

The original *Spray Summary Report* found the following with respect to the 1949 Spray affidavits (Ch 8, pp.2):

“It is clear that much of the key eyewitness testimony pertaining to the 1949 Spray record...

- (1) **Asserts the physically impossible:** “That he would estimate that it took Mr. Spray approximately 50 minutes to land the fish...and the fish was finally landed at about 4:00 p.m.” (George Quentmeyer); “At about 3:30 p.m., I knew Ted was freezing because he was not dressed for the cold, so I suggested we go in and have some hot drinks and get warm at a nearby resort...the battle had lasted about forty minutes and we finally landed the fish at around 4:00 p.m.” (L. Spray).
- (2) **Displays strong witness bias:** Inez Spray notary to Spray affidavits. Nixon Barnes, known friend of Spray, witness to all three Spray records.
- (3) **Displays substantial influencing of witnesses:** common themes and obvious formatting of Spray affidavits.

And so even this cursory (and highly incomplete) review of problems pertaining to the Spray affidavits already leaves us with a more appropriate analogy – the case of a modern court of law being confronted with shaky, biased, and often internally contradictory eye-witness testimony coming into conflict with indisputable scientific evidence.

We find no ambiguity here; when viewed in light of the above, the Spray affidavits testify to an altogether different reality, serving as an indirect proof for the obvious fact that the mounts of both record fish were augmented to complete a fraud perpetuated by Spray and his associates. That indeed if “Chin Whiskered Charlie” had ever pushed the scales to 69lbs 11oz, it could not have been without the aid of the kind of “fisherman’s liberties” alluded to by the taxidermist of Spray’s first two records, Karl Kahmann himself.”

It is clear from the brief examples presented above that facts pertaining to the 1949 affidavits are not mere “innuendo”. Rather, the information presented in these chapters

represents circumstantial evidence which complements (and, indeed, strengthens) the direct evidence presented earlier in the 10-20-05 Spray Report.

Those interested in the complete WRMA Spray affidavit analysis may view it in its entirety at www.worldrecordmuskiealliance.com.

Chapter Nine: An Investigative Profile of Louie Spray

This chapter was subtitled *“Toward establishing motive, intent and behavioral patterns, leading up to and including the 1949 All Tackle World Record”*.

Here, the 10-20-05 WRMA Report identified “money, fame, cash and other prizes and the promotion of his bar business” as the motives behind Mr. Spray’s multiple contest/record frauds (Ch 9, pp.1):

“Though largely circumstantial, we feel that the following analysis, when viewed within the context of the hard evidence presented earlier in this report, sheds much needed light upon the crooked path walked by Spray during the course of his fishing career, and still more pressing evidence against Spray’s legacy of bogus record claims.

After boating, “...not a single Muskie from 1935 through the middle of 1938” (Dettloff, John, *Three Record Muskies in His Day*, pp. 150), Spray suddenly laid claim to an unprecedented run of huge muskies, culminating with his first world record claim of 59lb, 8oz on July 27, 1939.

Spray claimed to have caught the 1939 record (Duluth Herald, 8-3-39) the very same week of his prize-winning 46lb 3oz Fitger Brewing Contest fish; thereafter, the only remaining documented Spray muskies were his world records in '40 and '49.

On the surface, this feat would appear to represent a near-miraculous turn of fortune for an unlucky angler who had recently endured a three-year stretch without so much as a single 30” muskie to his credit. Upon closer scrutiny however, Spray’s track record during this time period would seem to tell a different story – serving instead to document the emergence of a clever and successful liar, cheat and con artist.”

“That Is Bias”

The following appeared in a Milwaukee Journal-Sentinel article **one week before** the Hall’s January 16 ‘Decision’:

“In another development, in preliminary deliberations, Brown said, the Hall of Fame’s board has found that one of the assertions made by the alliance about Spray’s financial motivations was not accurate.

The alliance’s report calls the late Spray ‘an incredible cheat, who discovered a system to turn large muskellunge into cold, hard cash,’ and argues that he received \$3,000 for his 1939 musky from a contest sponsored by a magazine.

However, Brown said: “Louie’s share of the purse was \$30 in merchandise. At least in 1939, his motivation was not cold, hard cash.”

Brown concluded with the following:

“Job number one for us is maintaining the integrity of our program,” he said. “The only way we can do that is to give all of the records equal scrutiny without bias. We do not cheerlead for individual records or individual people, and we’re not an extension of the Hayward Chamber of Commerce.”

It cannot be overemphasized that this single discrepancy represents the **only** piece of evidence used by the Hall as justification for its decision to dismiss some 47 pages of evidence against the Spray records as mere “innuendo”.

Given the fact that Mr. Brown had to bypass some 80+ pages of critical evidence against Mr. Spray’s record before arriving at this single, nonessential error which he then elected to bring to the attention of the media **before** the Hall had voted upon the WRMA’s “protest,” it becomes difficult to justify Brown’s statement to the Journal-Sentinel as representing anything other than simple “cheerleading” for Mr. Spray’s record.

In the words of Brad Latvaitis:

*“In local newspaper interviews before the protest vote, Executive Director Brown tried to discredit the WRMA protest; **that is bias** (Emphasis WRMA)”.*

Of Mountains and Molehills

We find Mr. Brown's statement that "Louie's share of the purse was \$30 in merchandise...at least in 1939, his motivation was not cold, hard cash" to be false and misleading - not only to the media and general public, but also to members of the members of the Hall's own Executive Board who may have read the article prior to the Hall's January 16 vote.

To fully appreciate the implications of this article, please bear in mind the fact that every single formal information request on the part of the WRMA had been categorically denied by the Hall before Mr. Brown's statement.

Further, on December 30 the following addendum to the October 20 WRMA Report was sent to the Hall at Mr. Brown's personal attention as Hall Executive Director:

"...please accept the following as an addendum to the unprecedented Spray Summary Report.

We would like at this time to address yet another issue, this stemming from to a December 24, 2005 Wisconsin State Journal article. After reading the article we phoned and spoke to the reporter, John Nolan, in order to better understand a couple quotes from you, Mr. Brown:

"Said Brown, commenting that the WRMA greatly overstates a contest award Spray pursued in 1940 for a 59 lb. 8 oz. catch and that Spray likely could not have pursued a car for his record catch as has been alleged." (Emphasis WRMA).

After some discussion we determined that we had in our possession only a partial correspondence from a Spray entry into the national sportsman hunting and fishing contest. Based on only this one piece of correspondence which reads, "We have received and entered your certificate of entry in our big \$3,000 prize fishing contest," it is easy to understand this rather minor error put forth in our report."

Let the record reflect that if we would have had access to the entire Spray file per our repeated requests, this rather trivial error would not have occurred.

While we are in the business of correcting mistakes, please advise that this prize would be for the 1939 fish, not the 1940 fish as you indicated in the newspaper. Our report clearly states "we were unable to determine the first place prize amount awarded for the capture of the 1940 world record."

Further, on the issue of the new car, we did not say he received a new car, as you seem to imply: "we do know that in 1949 a new car was just one of the rewards one could receive for setting a new all tackle muskellunge world record."

Our research concluded that it was not known whether or not Spray received a new car. However it is known that Cal Johnson as previous world record holder in fact did receive one. Therefore, we find it unlikely that a reasonable person would believe that Spray would not have "likely pursued" his own car if he knew there was a possibility.

*As such, while tending to these final, petty concerns, we challenge the Hall to substantiate its claim that Spray, "could not have likely pursued a car," or else simply leave the matter as stated by the WRMA as something one could have received. **Frankly, to us, this is a moot point because we do know that Spray received two Martin outboard motors for the 1949 fish, as well as plenty of other cash, prices and extra bar business along the way that supports our analysis of Spray's "motivation," per our report.** (Emphasis WRMA)*

It should be noted here, Mr. Brown, that errors made by your own President, Mr. John Dettloff, while doing his own historical research concerning the actual height of Spray has had a far more glaring negative influence ("6'2" with a lumberjack build") on the overall factual perception of this record. As such, any other possible minor mistakes by the WRMA must pale in comparison. "

Emmett Brown's 1-3-06 response to the above addendum:

*"Your lengthy letter has been received (emphasis, WRMA). I must commend you on your adroit powers of rationalization. Additionally, I am quite envious of the amount of free time that you apparently have at your disposal. I can assure you that I hold no "contempt" whatsoever for the WRMA. I am much too professional for such petty and childish distractions. Please say hello to Larry Ramsell when you forward this email to him." **

*This comment came within days of Mr. Ramsell's departure from the Hall after 35 years of dedicated volunteer service.

Please consider further that Mr. Brown insisted upon sharing the \$3,000 discrepancy with the media even after his acknowledgment of the WRMA's addendum correspondence:

"That being said, we have found a few problems preliminarily with the WRMA's report," Brown added. "The WRMA's 'smoking gun' is that they say Louie Spray was a cheat and liar and he found a way to convert large fish into cold, hard cash."

Brown said the WRMA “made a very troubling error or false statement” by stating that Spray received \$3,000 cash as a prize for catching his first world-record musky in July, 1939, a 59 1/2-pounder from Grindstone Lake.”

-Emmett Brown, 1-11-06

To be clear, at no point within the 10-20-05 WRMA report is the **specific amount** of any particular cash prize identified as a “smoking gun”. Far from it, if anything the contents of Chapter Nine represent some of the **least essential** portions of evidence against Mr. Spray detailed by the original 10-20-05 WRMA Report.

Further, may the reader note that in this quote Mr. Brown drew upon the WRMA addendum to correct his own prior mistakes with respect to the car/ 1939 & 1940 record dates, but failed to make use of this same addendum to rectify the WRMA error.

Chapter Ten: Summary and Recommendations

The WRMA stands firmly behind the methodologies and findings presented by the 10-20-05 Spray Report. Indeed, **as the informational content of this document has yet to be properly addressed much less refuted by the Hall, we consider our “protest” of Mr. Spray’s muskellunge records to be open pending a wholly independent, professional review.**

From the report (Ch 10, pp. 1):

“To Review:

From all of the expert calculations employed, it is evident that Spray’s 1949 Hall of Fame’s All Tackle Record Muskellunge, initially claimed to measure 63.5” in length by 31.25” in girth, in fact measured 53.6” +/- 1.5” in length and 8.7” +/- 0.5” in width, and therefore sorely lacked the dimensions necessary to weigh 69lbs, 11oz without having first been, in the words of Karl Kahman, “filled before weighing”.

Further, it has been shown conclusively that the skin mount of Spray’s 1949 Hall Record Muskellunge was augmented by an average of 14.47% in length, and 8.51% in belly width. It is our considered opinion that should one for whatever reason choose to ignore the results of the 1949 photo analysis, it is nonetheless necessary to conclude, as have we, that mount augmentation of this magnitude could only have been performed to help perpetuate a fraud of historic proportions on the part of Spray.

Lastly, it has been demonstrated that the documentation long said to support the 1949 All Tackle Record Muskellunge lacks the necessary credibility to be of any assistance in authenticating Spray's fraudulent 1949 record claim.

Moving forward, it is clear that for record keepers, scientific analysis must trump eyewitness testimony whenever the two stand in conflict. This is not to say that eyewitness testimony lacks value. However, **just as in courtrooms of today, it is necessary to recognize that eyewitness testimony has fallen to a position of secondary importance relative to hard scientific evidence.**

Part Two: A Case for Bias

“Recently the Hall issued a Press Release upholding the Spray record. The release is blatantly biased and clearly exhibits the Hall's contempt for the WRMA. It is extremely unprofessional and technically incompetent. The Hall's review of the Spray musky is reminiscent of a poorly written high school science term paper. It is an embarrassment to the Hall and should be an embarrassment to the Hall's membership.”

- Brad Latvaitis

“Prior to the Hall's recent decision with regard to the Louie Spray record muskie protest, Mr. Latvaitis regretfully resigned his 30 year position as Hall Advisory Governor, Hall researcher, Hall advisor on fisheries matters and as Chairman of the Awards (Enshrinement) Committee due to the manner in which the Hall, led by Hall President Dettloff and Executive Director Brown were handling the Spray investigation. Likewise, I too, with great regret, resigned as Hall Fish Historian and World Record Advisor for similar reasons, after 35 years of volunteer service to the Hall”.

-Larry Ramsell

As detailed earlier, 'Ramsell' and 'Latvaitis' are names synonymous with the history of muskellunge record keeping. Working alongside late Hall founder Bob Kutz, both worked tirelessly to first build and then maintain the Hall's vaunted record keeping programs. Combined, Larry Ramsell and Brad Latvaitis have willingly donated over 60 years of volunteer service to the Hall.

Sadly, both felt they had no choice but to resign their positions as Hall advisors over the manner in which the Hall dealt with the 10-20-05 WRMA Report. The WRMA would like to take this opportunity to thank these gentlemen for the many contributions they have made to the betterment of our sport

Although not WRMA members, given their vast personal contributions to the history of muskellunge record keeping, we have chosen to let these gentlemen speak for us in addressing the Halls bias in electing to uphold the Spray record.

First, we have included in its entirety a letter from Brad Latvaitis to members of the Hall's Executive Board. Next, for reasons of brevity alone, readers may view Larry Ramsell's "Lawton Muskellunge Recommendation Review" in its entirety at www.worldrecordmuskiealliance.com

From Brad Latvaitis:

Mr. Emmett Brown, Record Review Committee, Board of Directors
Fresh Water Fishing Hall of Fame
P.O Box 690
10360 Hall of Fame Drive
Hayward, Wisconsin 54843

February 02, 2006

RE: Review of the Hall's Decision to Uphold the Louis Spray World Record Musky

Dear Sirs and Madam:

In previous correspondence (01/08/03 & 10/26/05) I urged the Hall to recognize all Historic Angling Records and to establish a closely scrutinized Modern Angling Records Program. When it became apparent that the Hall would continue to disqualify angling records established by other sanctioning bodies, I urged the establishment of a consistent "disqualification protocol" (12/11/05). Further, I recommended that the Hall's consideration of the World Record Muskie Alliance (WRMA) protest of Mr. Spray's world record musky be technically sound and carefully presented. I suggested the utilization of Advisory Governors and outside expertise to assist with the review of the record protest and provided an independent evaluation and advice regarding Mr. Spray's musky (12/16 & 12/19/05). Although the Hall considered me a "research expert" when the Lawton and Malo muskies were evaluated, my input regarding the Spray musky was ignored. In fact, for the most part, my efforts were never formally acknowledged and the extent of the distribution of my correspondence among the Board members remains unknown to me.

When the Hall's contempt for the WRMA became apparent, I submitted an independent protest of Mr. Spray's record (12/18/05). I subsequently withdrew my protest believing that my ideas would be considered to help evaluate the WRMA's protest (12/25/05). They weren't.

After gut-wrenching contemplation, my disagreement with the Hall's arrogance and demeanor regarding the world records program led to my resignation as Advisory Governor (12/22/05 and 01/03/06). Subsequently, I was advised by the Hall that I could not serve as Chairman of the Awards Committee because I was no longer an Advisory Governor (01/01/06). Accordingly, I advised the Awards Committee of the Hall's decision (01/08/06 and 01/16/06).

Recently the Hall issued a Press Release upholding the Spray record. The release is blatantly biased and clearly exhibits the Hall's contempt for the WRMA. It is extremely unprofessional and technically incompetent. The Hall's review of the Spray musky is reminiscent of a poorly written high school science term paper. It is an embarrassment to the Hall and should be an embarrassment to the Hall's membership. I'll elaborate.

Sworn Statements and Affidavits

The Hall makes a point that the Spray record includes strong documentation supporting the size of the Spray muskie. The Hall ignores the fact that similar strong supporting documentation, accredited by esteemed Field & Stream review committees, supported former world record fish that have been disqualified by the Hall, notably; the Lawton musky and the Mabry walleye.

The Hall contends that the WRMA's report is essentially an accusation of fraud toward six different individuals. Frankly, that is not true. The WRMA's report indicates fraud by Mr. Spray and Mr. Lackey regarding Spray's 1949 world record and Mr. Spray and Mr. Kahmann regarding the 1939 and 1940 muskies. This fraud was inadvertently supported by the Spray witnesses.

A.J. McClane, Dr. H. John Rayner, Cecil Heacox, Van Campen Heilner, Bill Rea, Paul Martin, Louis Hauf Jr., Robert Riley, J. Emerson Sharp, Lauren Kisselburg, Walter Dunn, Dale Shaw, Pinkerton Detective Agency, L. Robert Crandell, Harry D. Heinzerling, Al Messner, Warren Flood.....who are these people? This is a PARTIAL list of the people that were either discredited or called liars, along with Art and Ruth Lawton.....and the families and friends of each, when the Lawton muskie was disqualified. I imagine a similar list could be constructed regarding the Mabry walleye.

Scientific Method

As stated in the Hall's review, the WRMA report used scientific methodology to arrive at their various calculated results and conclusions. The Hall contends that the WRMA failed to follow the scientific method.

The Hall's contention is an embarrassment. In fact, the scientific method is the principle that guides scientific research and experimentation. The WRMA's report, specifically efforts by DCM Technical Services Inc., is neither scientific research nor experimentation. It is the application of scientific technology to provide a technical assessment of the length of Mr. Spray's musky. Scientific technology was also applied to assess the Spray mounts, which I did not personally assess and is not a part of these comments.

The Hall exacerbates their professional embarrassment and technical incompetence by referring to the use of a least squares photogrammetric solution, a scientific technology that has been peer reviewed in scientific journals, as an experiment that must include a controlled experiment to provide reliable answers.

In the case of DCM's Photogrammetric Solutions Report, a controlled experiment is clearly not necessary to test the reliability of results. The PhotoModeler methodology has been validated and is beyond reproach. The hypothesis that the PhotoModeler can accurately calculate the measurement of an unknown object using valid methods that include the proper use of variables and an acceptable margin of error has been established.

The technician responsible for the assessment of Mr. Spray's muskie is a recognized expert in his field. The assumptions that were made to provide input to the PhotoModeler software program were part of a peer review. The Hall was urged to seek an independent photogrammetric evaluation and/or to commission a second peer review of the photogrammetric solution if they felt that an assessment of the application of this state-of-the-art technology was warranted. This advice was ignored and in its place the Hall doggedly pursued a campaign to support the Spray record, ignoring their obligation to carefully consider the WRMA's protest.

In pursuit of support of the Spray musky, in addition to ignoring DCM's results, the Hall chose to ignore all evidence that did not support Mr. Spray. Examples of dismissed evidence include an evaluation provided to the Hall at their request by Professor Douglas Arnold, Director of the Institute for Mathematics and its Application, University of Minnesota. Professor Arnold offered, "It is not possible to estimate the size of the fish from the photo....we can only give the upper bound on the size of the fish...the fish is shorter than 63", perhaps considerably so." Professor Arnold's upper bound estimate, before consideration of perspective (which would further reduce the estimate of the fish's size), assumes that Mr. Spray's image in the photograph represents a 72" individual (height information was provided to Professor Arnold by the Hall). My evaluation, based on a more realistic estimate of 71" for Mr. Spray's height, provides an upper bound of 62 ¼" before consideration of perspective. It was likewise dismissed. In addition, the Hall ignored follow up electronic correspondence by Professor Arnold that, "In particular, my conclusion, that the fish is certainly shorter than 63" and perhaps considerably so is consistent with the DCM statement that the length is 53.6 inches plus or minus 1.5 inches." [Note that the recorded length of Mr. Spray's musky is 63 ½ inches.]

In an effort to support Mr. Spray's musky, the Hall conducted a controlled experiment that is laughable, at best. Using 21st century camera technology, the Hall's "experiment" illustrates that same plane/direct scaling can be moderately accurate when the fish plane and film plane are parallel. Unfortunately, the controlled experiment **does not** address the geometry and camera technology present in the case of the Spray muskie where the musky angles out of the plane normal to the camera negative.

Professional Etiquette

When the Hall's Review Committee requested an analysis of a photograph of Mr. Spray and his musky by Professor Douglas Arnold, they provided a newly discovered photograph of the Spray musky; a photograph with a superimposed background. The Hall did not share with the Professor the nature of their request or DCM's Photogrammetric Solution Report or my review of Mr. Spray's musky. The Hall did not reveal that the background in the photo provided to Professor Arnold was false.

The photograph provided to Professor Arnold does not allow perspective analysis in contrast with the photos analyzed in the DCM Photogrammetric Solution Report. Subsequently, when Professor Arnold obtained the DCM report, he was concerned that he had been deceived. I assured him in writing that the Hall's oversight was inadvertent and was likely based on the

Hall's inability to understand and assimilate the technical data and concepts necessary for photogrammetric analysis.

Unfortunately, my review of the Hall's recent Press Release indicates that the Hall's lack of professional etiquette may have been repeated in contacts with Professors Higgins, Brown, Gallian and Goldfeld. Each of these esteemed professionals has been placed in an awkward position by the Hall's amateurish treatment of the Spray world record protest.

Specifically, were Professor Higgins and Brown provided the Photogrammetric Solutions report? If not, they are unaware that the strength of the vanishing points that they were asked to comment on were a part of DCM's peer reviewed report. They are also unaware that the PhotoModeler software's is unable to calculate an estimate unless two reliable vanishing points are established.

Likewise, were Professors Gallian and Goldfeld provided DCM's report? If not, they are unaware that a least squares evaluation technology, documented in peer reviewed professional journals, was utilized to determine the length of Mr. Spray's musky. The peer reviewed results of the photogrammetric solution of the length of Mr. Spray's musky determined that the photo images Professors Gallian and Goldfeld reviewed are not normal to the film plane and the top of the fish is definitely slanted away from the camera's film plane since the fish is essentially vertical but the camera is downhill pointing up. In other words, were the Professors aware that the same plane/direct scaling evaluation that the Hall requested was in direct conflict with the photogrammetric solution? Were they advised that the photogrammetric solution provided a length determination of 53.6 inches, plus or minus 1.5 inches?

The Hall has irresponsibly taken the replies of the Professors and Mr. Mills out of context. It is unconscionable to imply that the Professor's same plane/direct scale methodology is superior to a least squares photogrammetric solution. It is incompetent for the Hall to dismiss DCM's report then select measurement locations determined by the dismissed technology and solicit independent use of these measurements by the Professors. In fact, the measurement interval derived from DCM's report and provided to the Professors was also misrepresented by the Hall!

The Hall's Bias

The Hall has the responsibility to address a formal record protest in an unbiased manner regardless of personal animosity or conflicts of interest. The Hall steadfastly and arrogantly refused to secure an independent review of the Photogrammetric Solutions Report. Instead, the Hall took the position that the Spray record was valid and attempted to prove this assumption; that is bias. In local newspaper interviews before the protest vote, Executive Director Brown tried to discredit the WRMA protest; that is bias.

The Hall's treatment of Mr. Spray's height for image proportion comparisons assumes a height of 6-feet. Mr. Spray's medical records document a height of 5'11". The Hall insists on assuming that Mr. Spray's height was determined without shoes. This point is clearly an unknown. The Hall insists on adding an inch to Mr. Spray's height based on the height of his fishing boot heel, however; no data are provided to compare measurements with and without the boot (which the Hall has in its possession). Importantly, the Hall gives no consideration to the fact that height measurements are taken with feet together and head straightly aligned with the spine in contrast to the reduced height that would occur when Mr. Spray's head is cocked and his feet are spread off-center as in his photographs with muskies. These all are examples of bias that favors Mr. Spray.

The Hall's review, using the newly discovered photograph, includes a discussion of a missing jaw. This claim is simply ludicrous. The proportion of top to bottom jaw based on a mount of Mr. Spray's world record musky is provided in the WRMA report as 5.11 units for the upper jaw length versus 7.56 units for the lower jaw. This proportion closely matches the jaw measurement proportions in the photo analyzed in Section VI of the Hall's report. There is no basis for the measurements labeled "B" and "C" in this Section. This assessment is also clearly biased.

Further, none of the Hall's measurement assessments recognize the length differential posed between the proper measurement of total length, required for the Field & Stream record application, and a length measurement taken from a fish hung by a rope. This apparent oversight is in Mr. Spray's favor.

Additional Photographic Evidence

The WRMA's protest questioned the legitimacy of Mr. Spray's musky. I would expect the Hall to analyze all available information in an attempt to respond to the WRMA. In my opinion the Hall fell short of this responsibility.

Specifically, during the course of the Hall's review, a new photo of Mr. Spray and his musky was discovered. This photo brought attention to the fact that other than an obscure, grainy, newspaper photo of Mr. Spray and his musky, only one original photograph of the world record fish exists and, this picture was taken with Mr. Spray on an incline standing behind a fish that is suspended by a rope. The photographer is clearly below Mr. Spray and his musky.

Mr. Spray also submitted world record applications to Field & Stream for two other muskies. In Mr. Spray's 149 page book published in 1979 only one picture is provided for each fish. In each, the fish is held well out in front of the angler and the photographer was obviously well below the musky. To date there is still only one known photograph of Mr. Spray's 1939 musky (and Mr. Spray isn't even holding it). In recent years Hall president Dettloff published a book about Mr. Spray which included additional photos of Mr. Spray's 1940 musky....photos analyzed in the WRMA report and found to be less than the musky's reported length before the application of perspective!

In addition, the newly discovered photo of Mr. Spray and his musky is the same image as one of the two images provided to the WRMA for analysis, however; the image provided to the WRMA is a cropped enlargement of the newly discovered photograph. The cropped enlargement provides the illusion of a much larger musky. The original of this photo has not surfaced.

All of the photographs of Mr. Spray and his muskies are relevant to the determination of the legitimacy of Mr. Spray's musky because, if a person is caught cheating in a contest, all of his records are disqualified!

Conclusion

Recent newspaper quotes from the Hall that the photogrammetric solutions report is "bad science" is not only unprofessional, it reinforces the Hall's position of arrogance and ignorance. The Hall is responsible for the only "bad science" that has been practiced in regard to the Spray record. The Hall's decision regarding the Louie Spray world record is not technically sound and has placed the Hall's 35 years of credibility and integrity in serious jeopardy.

I urge a complete evaluation of the Hall's world record review protocol and either the immediate disqualification of Mr. Spray's musky or an independent assessment of the Louis Spray world record protest. Be advised, however; that an independent assessment will most likely support disqualification.

Last, but clearly not least, the Hall owes apologies to Mr. Mills, Professor Arnold, Professors Brown, Gillian, Goldfeld & Higgins, Mr. Ramsell and many more.

Sincerely,

Brad Latvaitis

In Conclusion:

WRMA Recognizes Cal Johnson Fish as All-Tackle World Record

Thus far, this rebuttal has thoroughly documented the extensive pro-Spray bias and basic technical ignorance that pervades the Hall's "Decision Regarding the World Record Musky Challenge."

When one considers the Hall's new protocol demanding a \$1,500.00 fee to protect against "frivolous" protests, in addition to the Hall's insistence on charging the WRMA \$50.00 per hour to conduct research at their facility, it becomes obvious that we have no reasonable alternative but to conclude that the Hall will continue to defend Mr. Spray's records, no matter how overwhelming the evidence may be.

Further, in the wake of the February 21 revelation on the part of the Hall's own experts that their work cannot be used to refute the findings of the original WRMA Spray report, it is clear that the WRMA's findings have yet to be properly addressed – much less refuted – by the Hall of Fame.

Therefore, we do not anticipate filing another protest with the Hall at any point in the near future, as we consider our current protest of Mr. Spray's records unresolved, open and pending. Moreover, given the Hall's decidedly less-than-professional treatment of the carefully researched 10-20-05 WRMA Spray Report, the **WRMA no longer recognizes the Hayward Hall as a viable international record-keeping entity.**

The WRMA joins the IGFA in recognizing the 1949 Cal Johnson muskellunge (67.5lbs, 60.25" x 33.5") as the WRMA All-Tackle World Record, pending proper authentication and review in accordance with our original mission statement.

In the event that another formal protest is required, supporting documentation will be presented to the IGFA alone, without consideration to the Hall of Fame.

The WRMA and many prominent members of the fishing community are also excited by the creation of a new Modern-Day Records Program.

This new modern-day records program will be presented and considered by the prestigious Muskies, Inc. International Executive Board Members at the exclusive upcoming annual International Muskies, Inc. Spring board meeting April 1, 2006.

The WRMA was founded to resolve the controversy over the legitimacy of the current All Tackle World Record. Sadly, in the short run it would appear that the October 20, 2005 release of the WRMA's Spray Report has had quite the opposite effect.

Our heartfelt hope is that in the future, our combined efforts will ensure that mistakes made by well-intentioned record keepers who had no choice but to, in the words of Karl Kahmann, "rely upon affidavits and scaler's record stubs," need not be repeated.

With these thoughts in mind, we now ask the general muskie fishing public to accept the findings presented both by the 10-20-05 WRMA report and this rebuttal as our final word on Mr. Spray's muskies.

Sincerely,

Richard Delaney, President, World Record Muskie Alliance
Jerry Newman, Founder and Trustee