

April 5, 2016

Response to complaint regarding potential plagiarism by Dr. Kent Nakamoto

On March 9, 2016 I received a complaint of potential plagiarism in three publications by Dr. Kent Nakamoto of Virginia Tech and Dr. Peter Schulz of the University of Lugano, Switzerland. The complainant is outside of Virginia Tech and has no association with either author. Plagiarized sections of the manuscript were highlighted with the plagiarized article identified, which is a common characteristic of plagiarism software.

After careful review of the evidence, I agree with the complainant that substantial plagiarism has occurred that extends beyond reasonable repetition of common statements, that there is misrepresentation of who has done the research stated in these articles, there is a lack of proper citations, and there is extensive use of other's statements verbatim.

The only federal funds identified in any of the articles are from the Swiss National Science Foundation. Therefore, none of the Offices of Research Integrity associated with United States federal funding agencies need to be notified.

Virginia Tech research misconduct policy 13020, updated July 14, 2014, states in the fourth paragraph of section 2.2 (Policy: Activities Covered) that "This policy applies only to allegations of research misconduct that occurred within six years of the date the university, or a research sponsor, received the allegation, subject to grandfather clauses and exceptions in applicable federal regulations." The manuscript cited in Case 1 "Peter J. Schulz, Kent Nakamoto, David Brinberg, Joachim Haes, "More than Nation and Knowledge: Cultural Micro-Diversity and Organ Donation in Switzerland," *Patient Education and Counseling* 64 (2006): 294-302", and in Case 3, "Peter J. Schulz, Kent Nakamoto, Uwe Hartung and Carmen Faustinelli, "The Death of Rosmarie Voser: The Not-so-harmful Consequences of a Fatal Medical Error," *International Journal of Public Opinion Research* 20 (2008): 386-397", are older than the six-year statute of limitations stated in the Virginia Tech research misconduct policy, whereas the book chapter cited in Case 2, "Peter J. Schulz and Kent Nakamoto, "The Concept of Health Literacy," in *Science | Environment | Health: Towards a Renewed Pedagogy for Science Education*, edited by Albert Zeyer and Regula Kyburz-Graber (Dordrecht: Springer, 2012): 69-84", is within the investigative time period.

On March 16, 2016 I met with a co-author of one of the manuscripts who was not implicated in the plagiarism complaint to determine if he had any knowledge or evidence of who actually wrote the text in question. He said that it was so long ago he didn't remember, but that he and Dr. Nakamoto were visiting and working in Switzerland at the

time, and he thought that Dr. Schulz had written the text in all three cases. He further indicated that Dr. Schulz has been accused of “severe shortcomings in the references” and failure to “appropriately acknowledge” work by others in separate unrelated manuscripts and a book chapter (Retraction Watch: 1/18/2016). In response to the accusations in Retraction Watch, Dr. Schulz admitted he had made mistakes and corrected one of the manuscripts; another manuscript was retracted.

After returning from a conference I met with Dr. Nakamoto on April 4, 2016 regarding these publications, and in particular the subject of Case 2. He stated that in regard to the manuscripts in Cases 1 and 3, he contributed to the work presented, but he did not write the articles. The writing was done by Dr Schulz. In regard to the book chapter in Case 2, which is the only article still within the Virginia Tech statute of limitations, he did not recognize it, and said he was not even aware that it existed. In support of this claim, Dr. Nakamoto provided me his entire Curriculum Vitae, which does not include this reference. He suspects his name was added as “a courtesy”, but that he had never seen it.

Therefore, based on a preponderance of the evidence (Dr. Schulz is the first and corresponding author on all three manuscripts, all funding is from the Swiss National Science Foundation, witness testimony, evidence that Dr. Schulz has engaged in similar misconduct previously, and evidence that Dr. Nakamoto was not even aware that he was a co-author on the book chapter in Case 2) I do not believe that an investigation into research misconduct by Dr. Nakamoto is warranted.

I will contact the Università della Svizzera italiana Ethics Committee at the University of Lugano and forward them the evidence against Dr. Schulz. I will also contact the editors of all three publications and forward the evidence to them.

Yours sincerely,



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