

Dear Professor Sprouse,

We wish to lodge a formal appeal against the rejection of our paper which was submitted to Phys. Rev D. (DC10766 - "Imitating accelerated expansion of the Universe by matter inhomogeneities: Corrections of some misunderstandings").

The paper has been rejected after unfavorable reports of the referees. If it were an ordinary research paper, we would accept this decision, however unfair, and send the paper to another journal. But in this case the problem is more complex; we describe it below.

Our paper aims to correct some errors and misunderstandings that occurred in the paper by Vanderveld, Flanagan and Wasserman in 2006, PRD 74, 023506 (further abbreviated as VFW). Since its appearance, this paper has become very influential and has now more than 60 citations. The problem is that those errors and misunderstandings have become common among cosmologists, many of whom are not sufficiently expert in relativity to recognise where the reasoning in this paper is fallacious. Our main goal was to counter the diffusion of the incorrect concepts that will continue to propagate in the literature if left unanswered.

Since the original paper by VFW was published in PRD, we believe it should be in the interest of PRD that a correction of its errors is published in the same journal.

We understand that after obtaining such unfavorable referee reports, the Editor could not take any other decision. However, the Editor responsible for our paper was Ansar Fayyazuddin who is a string theorist. Most probably then, he did not have a full insight into all of the arguments put forward by VFW, ourselves, and the first referee.

We are also afraid that this referee was a close associate to the VFW authors (the wording and arguments used in his/her report suggest this very strongly - the referee's comments are very similar to VFW's response on the archive, and, she or he seems to know surprisingly well what VFW implicitly meant). We want to believe that the referee had good intentions, but we feel that the refereeing process was not objective. The authors of the criticised paper should of course be given a chance to respond to criticism, but only if the critical paper is accepted for publication after being *objectively* evaluated. Under no circumstances should the acceptance be dependent on the proponents of the criticised point of view. We believe that if one referee is a strong supporter of one point of view, even if it wasn't planned that way by the Editor, then a referee who is a strong supporter of the other point of view should be sought. However we would prefer a completely independent and well-versed referee. This clearly did not happen.

We, the authors, share the same values as the APS, i.e. that "Each physicist is a citizen of the community of science. Each shares responsibility for the welfare of this community. Science is best advanced when there is mutual trust, based upon honest behavior, throughout the community" (The Constitution of the American Physical Society). We therefore lodge this appeal and ask for a second assessment.

According to your Code of Conduct, the paper should now be sent to a member of the Editorial Board. We know that one of the members is Professor Misao Sasaki, who is undoubtedly an expert in general relativity and inhomogeneous cosmology. We therefore ask that the assessment of this case is done by him. He will be able to follow all the arguments presented in the paper, the first referee's report and our response to this unfair report, and he will be able to provide a fully objective judgment. (We do not mention the

second referee because he just made a very brief statement of support for the first one and did not undertake any discussion with us. We have the impression that he did not read our reply at all.)

We kindly ask that in choosing any new referee the Editor assessing our paper makes sure that no conflict of interest arises again. Here are our suggestions of possible referees, who we know are excellent experts in relativity and cosmology and honest scientists:

[list deleted from this copy, for the reason explained above]

Kind regards

Andrzej Krasinski, Charles Hellaby, Marie-Noëlle Célérier, Krzysztof Bolejko