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22 September 2026

Transmitted via Electronic Mail

To:

Dr. Lacy Wang, Section Managing Editor, *Remote Sensing* — lacy.wang@mdpi.com

Editorial Office of *Remote Sensing* — remotesensing@mdpi.com

For the urgent and formal attention of:

Research Integrity Division, MDPI AG

Legal Department, MDPI AG, St. Alban-Anlage 66, 4052 Basel, Switzerland

And served by way of formal personal and direct summons, notice of liability, and litigation hold upon:

The Executive Board and Senior Officers of MDPI AG:

- Stefan Tochev, Chief Executive Officer — stefan.tochev@mdpi.com
- Alistair Freeland, Chief Operating Officer — freeland@mdpi.com
- Dietrich Rordorf, Chief Technology Officer — rordorf@mdpi.com
- Constanze Schelhorn, PhD, Chief Publishing Officer — constanze.schelhorn@mdpi.com
- Tim Tait-Jamieson, PhD, Head of Publication Ethics — tim.tait-jamieson@mdpi.com
- Aleksandra Cuculovic, Head of Finance — aleksandra.cuculovic@mdpi.com
- Kurtis Jackson, MA, Head of Author Services — kurtis.jackson@mdpi.com
- Laura Wagner, Head of Books Division — laura.wagner@mdpi.com
- Peter Roth, Senior Executive Advisor — roth@mdpi.com

The Editors-in-Chief of Remote Sensing:

- Dr. Prasad S. Thenkabail, Editor-in-Chief (U.S. Geological Survey, USA)
- Prof. Dr. Dongdong Wang, Co-Editor-in-Chief (University of Maryland, USA)

The Members of the Editorial Board / Section Editors:

- Prof. Dr. Clement Atzberger — clement.atzberger@gmail.com
- Prof. Dr. Richard Gloaguen — r.gloaguen@hzdr.de
- Prof. Dr. Weimin Huang — weimin@mun.ca
- Prof. Dr. Magaly Koch — mkoch@bu.edu
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- Prof. Dr. Fumio Yamazaki — fumio.yamazaki@faculty.chiba-u.jp

Copies submitted purely for institutional notification and record (as a third party extraneous to the dispute):

To the attention of the Chair of the **Committee on Publication Ethics (COPE)**, Prof. Dr. Nancy Chescheir — COPE@publicationethics.org

RE: Biondi, F.; Malanga, C., *Remote Sensing* 2022, 14, 5231 — Retraction — Your letter of 20 September 2026 — Formal notice of default, reiteration of demands, personal notification, and imperative litigation hold

Dear Dr. Wang,

Distinguished Ladies and Gentlemen,

I write in the name, on behalf of, and under the specific mandate of Professor Corrado Malanga, further to my formal letter of 9 September 2026 and your communication of 20 September 2026.

Let it be made plain from the outset: this instrument is not merely addressed to MDPI AG in its corporate capacity, but is **formally, individually, and directly served upon each of the above-named executive officers of MDPI AG, the Editors-in-Chief, and the members of the Editorial Board**. It serves to place each recipient on strict notice of their several, direct, personal, civil, and criminal liabilities arising out of the continuous course of conduct detailed herein — under the enduring principle that authority without accountability is alien to law, and that *iustitia nemini deferenda est, sed unicuique suum redditur: nemo impune laeserit* (justice submits to no one, but renders to each their own: no one causes injury with impunity).

Your letter of 20 September 2026 does not respond to my formal requisition. It produces not a single one of the documents demanded. It answers not a single one of the categorical inquiries submitted. Instead, it proffers a perfunctory text characterised as a "*formal extensive and detailed evaluation from the Editorial Board"*, extended dismissively "*as a courtesy"*, and concludes with the remarkable announcement that the Editorial Office "*will not comment further on these matters"* and that MDPI "*consider[s] this case closed"*.

My client accepts this response for what, in objective reality, it constitutes: an unequivocal refusal. This instrument formally records that which MDPI and its officers have declined to perform, that which your letter nevertheless admits, and the inescapable legal

consequences arising therefrom.

Inasmuch as the Editorial Office has elected to absent itself from further correspondence, this notice is lodged against MDPI AG as publisher, as well as against the individuals who compose its direction and control. The “Editorial Board” does not exist as an intangible shield behind which individuals may find refuge: it consists of natural persons, each amenable to the law for the consequences of their deliberate acts. The retraction notice was issued under the imprint of MDPI AG; the procedural correspondence has been conducted exclusively by MDPI personnel in Cluj-Napoca, Beijing, and Wuhan; and the legal responsibility for the decision, the notice, and the method of their formulation lies squarely upon MDPI AG and the individuals who have concurred therein. Your letter asserts that MDPI has “*consulted on this case with the appropriate internal teams”*: this demand must therefore be understood as received by the Executive Directorate, the Legal Department, and the Research Integrity Division of MDPI as of the date of transmission. The recurrent distinction between the publisher and an Editorial Board with which it professes it “*cannot interfere”* will not be entertained as a valid defense in law.

1. The Nature of Your Communication of 20 September 2026

Your letter consists of a statement of barely five hundred words, devoid of any date of composition, unendorsed by the name or signature of any scientist, collectively signed “*The Editorial Board”*, and relayed by a Section Managing Editor. It is not the investigative report. It is not the original complainant’s submission. It is not the expert assessment from the members of the Editorial Board who, according to your letter of 3 June 2026, were alleged to have examined the authors' substantive replies. It is not a formal resolution of the Editorial Board, nor the documented approval of the Editor-in-Chief, nor the determination of the Editor said to have decided “*solely”*. It annexes nothing. It identifies no one.

To tender such a document “*as a courtesy”* is an absurdity. An author whose peer-reviewed work has been subjected to public retraction possesses an indefeasible right to know the precise grounds of the intended measure prior to its execution, to inspect the evidence upon which it is founded, and to be granted a fair hearing in adversarial proceedings (*audi alteram partem*). That right is enshrined in the COPE Guidelines to which MDPI purports to adhere, and in the Comments and Complaints Policy which MDPI professes to have observed. That which MDPI has tendered — seventeen months following its initial contact, five months following its unilateral announcement of an outcome, and forty-one days subsequent to the irreversible publication of the retraction notice — is an *ex post facto* rationalisation. It cannot cure the fatal defect that the measure was conceived, decreed, and published in total absence of due process.

2. Demands Left Wholly Unsatisfied

My letter of 9 September 2026 set forth ten categorical demands, to be satisfied no later than 23 September 2026. The status of each is recorded as follows:

- **(i)** The verbatim text of the complainant's submission, together with its date of receipt. *Refused.* MDPI has suppressed this document for seventeen months, withholding from the authors the very origin of the proceedings.

- **(ii)** The comprehensive investigative report and the specific evaluation by the "*experts from the Editorial Board"*, detailing names, credentials, dates, and every opinion upon which the measure relied. *Refused.* Your letter refers to "*an internal investigation conducted with the assistance of experts in radar interferometry"*. No report is annexed. No expert is identified. No qualification is disclosed. No date is provided. On 3 June they were styled "*experts from the Editorial Board"*; on 20 September they appear as unnamed individuals assisting an "*internal"* inquiry. MDPI has deliberately rendered both descriptions unverifiable.
- **(iii)** The itemised, granular identification of the alleged "*statistical errors"* and "*methodological flaws"*, cross-referenced against the sections, equations, and figures of the paper. *Refused.* Your communication cites neither section, nor equation, nor numerical parameter. As to "*statistical errors"*, it is completely silent: *vide* Section 3.
- **(iv)** The formal documentation of the decision: minutes, resolutions, the recorded sanction of the Editor-in-Chief, and the legal identity of the deciding Editor. *Refused.* MDPI has advanced three mutually irreconcilable accounts: "*our investigation and subsequent Editorial Board assessment"* (27 April); "*the Editorial Board and the Editor-in-Chief concluded"* alongside "*the decision to retract rests solely with the Editor responsible for the scientific content"* (3 June); and "*the Editorial Board has determined"* (20 September). Across all three, no single individual has assumed responsibility.
- **(v)** Regarding every communication purportedly dispatched to Professor Malanga or to me since 24 April 2025: destination addresses, full transmission headers, server delivery logs, and non-delivery notifications, particularly concerning the alleged missive of "3 June 2026". *Refused.* MDPI reiterates that a letter was transmitted on 3 June 2026, yet persists in withholding forensic server proof that it was dispatched, to whom it was addressed, and whether it reached the recipient. That claim remains formally disputed; failing verifiable proof, it shall be treated as an artifact created on 7 September 2026.
- **(vi)** Formal written rectification of the assertion of 7 September 2026 that "*neither the authors nor their legal representative provided any further correspondence"* following 3 June. *Refused.* Your letter opens with the words "*Following your email dated 9 September"*, thereby acknowledging the very correspondence whose existence it denied thirteen days prior, while declining to withdraw the falsehood.
- **(vii)** Recognition of procedural nullity and restoration of equality of arms: suspension of the retraction notice pending an orderly hearing, or the immediate substitution with a Correction or an Expression of Concern. *Refused.* By proclaiming that "*we therefore consider this case closed"*, MDPI has explicitly declared that the authors will never be afforded a hearing on the grounds upon which their work was retracted.
- **(viii)** An enforceable undertaking to refrain from further public or press statements. *Refused.* No undertaking has been furnished.
- **(ix)** The exclusive routing of all communications through my office. *Refused.* Your letter remains improperly addressed to "*Mr. Zauli, and Authors"*, in open disregard of specific legal instructions issued on 9 May and reiterated on 9 September.
- **(x)** Specific, enumerated answers to inquiries (a) through (h) of Section 4 of my previous

letter. *Refused.* Not a single inquiry has received an answer.

The absolute silence of MDPI will be introduced before every judicial and ethical forum as affirmative evidence of an arbitrary and evasive course of conduct.

3. Material Admissions Conferred by Your Letter

Your letter of 20 September 2026, notwithstanding its reticence, constitutes a series of momentous evidentiary admissions:

First: The alleged "statistical errors" are non-existent. The retraction notice published on 10 August 2026 defames the authors by alleging that the paper contains "*serious methodological flaws and statistical errors"*. My letter of 9 September required MDPI to substantiate those errors. Your reply — professing to be a "*detailed evaluation … explaining the basis for the decision to retract"* — omits the word "*statistical"* entirely. It was absent from your letter of 3 June. In seventeen months, MDPI has been incapable of identifying a single statistical error; when formally summoned to specify them, it abandoned the allegation in silence. The published notice thus bears a grave accusation which the publisher, by its own showing, cannot substantiate. This assertion strikes at the heart of the authors' professional honour and scientific integrity, as it falsely implies data fabrication or manipulation. It is actionable, defamatory, and its immediate removal is mandatory: *vide* Demand (xiii).

Second: The newly alleged grounds were never put to the authors. The sole inquiries ever submitted to the authors concerned references 72 and 77 and the plausibility of vibrations emanating from Cairo and the Nile (emails of 24 April and 19 May 2025). Neither point appears in your letter of 20 September. In their place appear novel grievances never before disclosed: the absence of accelerometer cross-validation; the lack of simultaneous seismic recordings; the ratio between target displacement and radar wavelength; the validation of the inversion procedure; and the uniqueness of the tomographic reconstruction. None of these were communicated prior to the decision, prior to 27 April 2026, prior to publication on 10 August 2026, or at any time before 20 September 2026. Your letter furnishes documentary proof that the authors were interrogated on one matter, while the adverse decision was rendered on another.

Third: The grounds now advanced do not constitute lawful reasons for retraction. Your letter concedes that the authors' approach "*may be theoretically plausible"* and that detecting displacements far below the radar wavelength "*may be possible under appropriate conditions"*. It merely concludes that the paper "*does not establish"* its claims and that the images "*cannot be distinguished, on the basis of the evidence provided, from artefacts"*. It terms this conclusion the "*considered opinion"* of the Editorial Board. It identifies no calculation error, no falsification, no data tampering, and no misconduct whatsoever. It identifies merely the absence of ground-truth validation: an experimental limitation fully evident upon the face of the manuscript when *Remote Sensing* peer-reviewed and accepted it in October 2022. COPE standards reserve retraction for clear evidence of unreliability stemming from gross negligence, scientific misconduct, or compromised peer review; they stipulate an Expression of Concern where evidence is inconclusive. That a new methodology is "*not adequately validated"* is the hallmark of groundbreaking research; it invites scientific dialogue, replication, or at most an Expression of Concern. It never justifies expunging a peer-reviewed paper from the

scientific record and stigmatising its authors with the brand of "*serious methodological flaws and statistical errors"*.

Fourth: The purported evaluation is undated and lacks contemporaneous standing. The text now produced is unauthored, undated, and introduced by the admission that "*we are providing additional explanations as requested"*. Inquiry (d) of my previous letter remains unanswered: precisely when, and by whom, was this document brought into existence?

Fifth: The scientific characterisation of the methodology is fundamentally flawed. Your letter erroneously describes the authors' work as "*SAR interferometry applied to sub-apertures"*. The published paper is expressly founded upon **SAR Doppler tomography and multi-chromatic analysis of micro-motion (MCA)**. Whether your anonymous "*experts in radar interferometry"* possess the specialized competence to evaluate this advanced processing chain is a question the authors will address in due course; MDPI has actively prevented its verification.

4. Substantive Technical Merits and Independent Scientific Audit

Professor Malanga and Professor Biondi wholly reject the technical validity of the note of 20 September 2026. They will respond point by point through a rigorous technical memorandum which MDPI and its board will be compelled to entertain. Nothing in this correspondence shall be construed as an acceptance of your assertions.

Furthermore, in light of MDPI's refusal to identify its anonymous assessors, the authors are submitting the full dataset, the algorithmic processing chain, and MDPI's note of 20 September to an independent, third-party scientific audit. This matter is being placed before the **Russian Academy of Sciences**, the **Chinese Academy of Sciences**, and the **Radar Interferometry and Remote Sensing Laboratory at Stanford University**. The latter, recognised globally as an authority of paramount standing in radar sciences, will be invited to evaluate with full public transparency that which MDPI consigned to anonymous censors. The findings of these independent audits will be made public and introduced as certified evidence in all judicial proceedings.

MDPI, its Editors-in-Chief, and its Editorial Board are formally called upon to state whether they consent to submit their evaluation and the credentials of their experts to this independent tribunal, and whether they will stay the effects of the retraction notice pending its conclusion (*vide* Demand xvi).

However, the substantive debate shall not obscure the fatal procedural illegality. To afford the authors their very first opportunity to address the reasons for retraction forty-one days after the publication of the sanction, within a letter declaring the matter "closed", is not due process. It is the confession of a process that never occurred.

5. Reiteration of Demands and Imperative Requisitions

Demands (i) through (x) of my letter of 9 September 2026 remain peremptory, effective, and unextended. The time limit of **23 September 2026** stands absolute.

In addition, acting on behalf of Professor Malanga and the authors, I hereby formally requisition MDPI AG and each individual recipient to satisfy the following requirements by no later than **28 September 2026**:

- **(xi)** State in unequivocal written terms whether the text contained in your letter of 20 September 2026 constitutes the complete, definitive, and exclusive grounds for the retraction. Failing such explicit confirmation, that text shall be treated in law as the sole basis of your decision, and all grounds not stated therein shall be deemed permanently abandoned.
- **(xii)** Disclose the identity and academic credentials of the drafters of that text, the precise date of its composition, and confirm whether the "*experts in radar interferometry"* are members of the Editorial Board or external consultants.
- **(xiii)** Amend forthwith the published retraction notice by excising the defamatory phrase "*and statistical errors"*, or otherwise provide a granular specification of such errors keyed to the text of the article. The continued publication of an unsubstantiated accusation constitutes a deliberate, ongoing, and aggravated civil and criminal wrong.
- **(xiv)** Confirm in writing that MDPI AG and each recipient have formally issued and implemented the comprehensive litigation hold instructions detailed in Section 6.
- **(xv)** Direct all future correspondence exclusively to my office at carlorzauli@libero.it, ceasing and desisting from any direct contact with Professor Malanga and Professor Biondi.
- **(xvi)** State whether MDPI agrees to submit its evaluation to the independent academic arbitrament identified in Section 4, suspending the retraction notice or substituting it with an Expression of Concern in the interim.

6. Formal Imperative Litigation Hold Notice

MDPI AG, its officers, its affiliates, and every individual recipient are formally placed on notice that **judicial proceedings in both civil and criminal jurisdictions are currently being perfected against the publishing house and against the responsible natural persons individually and severally**, alongside a formal complaint to COPE.

Accordingly, MDPI AG, MDPI Open Access Publishing Romania SRL, Remote Sensing Editorial Office (Beijing), MDPI Branch Office (Wuhan), together with each Executive Director, Managing Editor, the Editors-in-Chief, and the members of the Editorial Board, are strictly required to enforce an **immediate stay on all routine document destruction, scheduled purges, data overwriting, or automated deletion protocols** across all digital and physical systems. This preservation hold applies retroactively from the date of manuscript submission to the present, and encompasses without limitation:

- (a) The original complainant's submission, all associated correspondence, and all electronic logs identifying the complainant's identity, professional affiliations, and the precise timestamp of transmission;
- (b) The complete peer-review file, including original reviewer reports, internal annotations, and editorial memoranda preceding publication;
- (c) The full record of the purported "investigation": its formal terms of reference, engagement mandates, correspondence with assessors, draft evaluations, and internal departmental memoranda;
- (d) All drafts, versions, revisions, and metadata of the retraction notice, including authoring

templates and publication server logs;

- (e) All internal communications exchanged among the Editorial Office, Editors-in-Chief, Editorial Board, Research Integrity Team, Legal Counsel, and Executive Officers regarding this article and the authors;
- (f) Full server transaction logs, raw SMTP headers, transmission records, delivery confirmations, and spam classification records concerning all correspondence directed to the authors or to my office, with specific emphasis upon the alleged dispatch of 3 June 2026;
- (g) All external communications with third parties, academic institutions, journalists, or media entities, whether preceding or subsequent to 10 August 2026;
- (h) All metadata associated with any of the foregoing.

The concealment, destruction, or spoliation of any relevant evidence following receipt of this notice will constitute an independent actionable wrong and an aggravated circumstance, which shall be immediately brought before the competent civil and criminal courts and the regulatory authorities.

7. Inevitable Judicial Consequences

Should demands (i) through (x) fail to be satisfied by **23 September 2026**, or demands (xi) through (xvi) by **28 September 2026**, or should MDPI reiterate its evasive stance, my instructions are to proceed without further notification to:

- **The immediate institution of legal proceedings across competent Civil and Criminal jurisdictions**, brought not only against **MDPI AG** as a corporate body, but **personally, directly, and jointly and severally against each of the natural persons who have concurred in this unlawful course of conduct**, including the **Editors-in-Chief**, the **Co-Editors-in-Chief**, the members of the **Editorial Board**, and the **Executive Officers and Managing Editors** who authorised, subscribed, or published the defamatory notice:
- *In the Criminal courts*, by lodging formal criminal informations and complaints for the offenses of criminal defamation via electronic press, intentional injurious falsehood, and related breaches of penal law affecting the personal honour, professional standing, and scientific dignity of the authors;
- *In the Civil courts*, for a mandatory injunction compelling the immediate revocation or rectification of the retraction notice, and for **joint and several judgment awarding full compensatory, moral, and exemplary damages**. This claim specifically encompasses compensation for non-pecuniary harm (reputational and psychological damage) as well as **massive pecuniary losses — both as actual damages (*damnum emergens*) and lost profits (*lucrum cessans*) — directly resulting from the disruption, impairment, and cancellation of high-value industrial partnerships, commercial tenders, and multi-million-euro research and development contracts**, which have been gravely prejudiced as an immediate and proximate consequence of the worldwide dissemination of these unsubstantiated allegations;
- **The lodging of a comprehensive Complaint before the Committee on Publication Ethics (COPE)** against MDPI and the journal *Remote Sensing*, treating MDPI's assertion

that the case is “closed” as the conclusive exhaustion of its internal remedies;

- **The formal submission of the complete investigative file and correspondence** to the international academic community, including the Russian Academy of Sciences, the Chinese Academy of Sciences, and Stanford University, for full independent scientific exposure.

8. Preservation of Rights

All rights, claims, remedies, and causes of action belonging to Professor Corrado Malanga, Engineer Filippo Biondi, and the authors are hereby expressly and unconditionally reserved, particularly as regards any further harm accruing after 9 September 2026. Nothing herein shall be construed as a waiver or prejudice of any right, now or in the future.

I remain, distinguished colleagues,

Yours faithfully,

CARLO ZAULI, ESQ.

Counsel for Professor Corrado Malanga