

Oct 9, 2018

**To: Patrick Kenney**

**From: Lawrence Krauss**

**RE: Conciliation Agreement**

I just received from the President a copy of the conciliation committee report along with his instructions, based on their recommendation, to directly discuss with you "whether there are terms that can be agreed to" by close of business tomorrow.

I believe it is in the interests of all parties that we negotiate a settlement. I believe there is no legal justification for dismissal of a tenured faculty member on the basis of the largely spurious and false claims that I addressed in my appeal document. As you are aware, none of my students, faculty colleagues, postdoctoral researchers at ASU, or a single participant in my many Origins Projects events has launched a complaint against me. I recognize that going through the appeals process and the legal process following it will drag on for some time, be costly for everyone—financially and otherwise, especially considering that, under ABOR 6-201 sections J and L, I am told that I will continue to be paid at least until the conclusion of hearing procedures, up to and including an appeal to Superior Court if necessary. I also recognize that independent of the facts, at this point the University would prefer me to leave, and I now find little left to induce me to remain at ASU. Thus I propose:

1. I retire when I turn 65 at the end of May, 2019. However, if we can come to a good faith negotiated agreement on terms 2-6, I will retire, with standard benefits, effective Dec 31, 2018, as you had suggested.
2. The University ends my administrative leave and reinstates my normal status with the understanding until my retirement date with the understanding that I will be primarily working from Portland.
3. I be granted emeritus status after retirement, and retain my office and part-time use of my executive assistant for 1 year following retirement to allow me to more effectively conclude my activities at ASU .
4. I was planning not to retire until the age of 72 at least, based on financial obligations up until that time put into my divorce agreement with my ex-wife. Thus, retirement in December 2018 implies I will lose 7.5 years income. As a reasonable compromise I would ask for a retirement monetary package equal to 3 years of my 2017-2018 12 month salary of, plus benefits, of approximately, \$360K/yr.
5. I raised over \$2.5 million dollars to support my work with the Origins Project, and have brought in over \$1.5 Million dollars in external research funding. I would like the remaining ASU Foundation Funds that were raised to support the Origins project, and the Research Incentive Distribution funds allocated to support my research arising from Federal grants to ASU during the last 10 years of my employment at ASU, to be transferred

to another non-profit organization to be used to support my research and outreach activities.

6. A mutually agreed-to public statement by the University to announce my retirement. I propose:

“Professor Krauss, has chosen to retire from ASU effective xxx and will continue to carry out his research, writing, and outreach activities elsewhere after that. Until this date he will remain as a tenured faculty member at ASU. The university thanks him for his significant service to the University, and to the wider scientific community and the public over the past decade. We note that while allegations have been made in the press and to the University regarding Professor Krauss, none of Prof. Krauss’ students, faculty colleagues, or postdoctoral researchers during his time at ASU, nor any participants in his Origins Project events over the past decade have issued any complaints to the University about him. A University investigation uncovered no substantiated violations of University policy involving ASU faculty or students justifying dismissal.”

I am sending these to you as the basis for our negotiations in anticipation of our discussion tomorrow morning. I look forward to the possibility of a mutually agreed upon conciliation package, so that we can lay out the terms of final agreement on the schedule suggested by the President.