

From: "jeffrey E." <jeevacation@gmail.com>

To: Lawrence Krauss <[REDACTED]>

Subject: Re: Private and Confidential, in response to our meeting.

Date: Wed, 28 Feb 2018 02:35:30 +0000

Inline-Images: DA866543-7401-4A5A-8E50-FD32E33A50EC.png

How silly that for six months I have repeated in as many different ways . Do nothing at all . !! That's it . You have had me explain my intuition based on years of experience. I obviously did not do an effective job I'll be there for you every day , no worries.

On Tue, Feb 27, 2018 at 9:25 PM Lawrence Krauss <[REDACTED]> wrote:

Yup

Sent from my iPad

On Feb 27, 2018, at 5:48 PM, jeffrey E. <jeevacation@gmail.com> wrote:

used to view

On Tue, Feb 27, 2018 at 8:38 PM, Lawrence Krauss <[REDACTED]> wrote:

So far probably slightly positive. Plus they view the publicity benefit as very important.

Lawrence M. Krauss

Director, The Origins Project at ASU

Foundation Professor

School of Earth & Space Exploration and Physics Department

Arizona State University. [REDACTED]

Research Office: [REDACTED] Assistant (Jessica): [REDACTED]

Origins Office (Cynthia): [REDACTED]

origins.asu.edu | [REDACTED] | krauss.faculty.asu.edu



Sent from my iPhone

On Feb 27, 2018, at 3:47 PM, jeffrey E. <jeevacation@gmail.com> wrote:

is origins a net positive money wise for the university or a negative. ONIY money

On Tue, Feb 27, 2018 at 6:43 PM, Lawrence Krauss <[REDACTED]> wrote:

yes.. you are correct.. but even without the attorney I wanted to try and assert my rights.. I got shot down.. I expected to get shot down, but nothing has changed in that regard. I have now dealt with this office twice, and they are aware of the ongoing thing with BuzzFeed, and as I told you before, the University attorney actually warned me this was likely to happen.

So, I think all is as it was with that office and they are going to do what they would have done anyway, which is to interview my staff.. they asked me on Friday before they got my note to send them the name of those who worked for Origins from 2015 -2016 and I gave them the contact info for my business office manager at origins, and they thanked me..

On Feb 27, 2018, at 4:38 PM, jeffrey E. <jeevacation@gmail.com> wrote:

heres what this says. i lawrence krauss will tell you how i think you should conduct your investigation , if at all. and I would like to participate in it. repsonse. go fuck yourself. we will not share the file , all complaints are proteced from defamation and you must continue to cooperate.

I wanted to add to his letter, to **reiterate our concern** about how your office was planning to follow up on the false and defamatory third-party allegations from BuzzFeed. Because this was initiated by an online entertainment news outlet with a clear agenda and established record of propagating false allegations about me, rather than by any of the individuals they refer to as

sources, **this should not be considered a credible**

allegation worthy of investigation. I believe that our initial discussion was sufficient to settle this matter. Whether or not you agree with this, there are **two things** I think are important to establish.

Firstly, that the University should not propagate what can be false allegations from such a source by presenting them directly to current and/or former employees or to others. To do so would be to further their libelous agenda, as Mr Waldman has emphasized. In this

regard, **I would appreciate seeing copies of the**

correspondence you might send to current or former employees about this in the process of carrying out and concluding your investigation.

your client, Lawrence Krauss, copied me on his February 23rd email communication to the Office of Equity and Inclusion. I am writing to convey the University's position on its responsibility to conduct administrative investigations into allegations of conduct that would violate institutional policy, if true. Because Dr. Krauss has retained legal counsel, I am writing directly to you. You may forward my communication **on to your client.** Without having first secured your permission, I did not think it was proper for me to copying him on this reply.

Our policy on the Prohibition Against Discrimination, Harassment, and Retaliation (ACD 401 <https://www.asu.edu/aad/manuals/acd/acd401.html>) and its accompanying procedures (P20 – link to the procedures is embedded in the policy document) directs the Office of Equity and Inclusion to conduct prompt and equitable investigations. Among the points stated are that the **Office accepts anonymous complaints** as well as direct complaints. University employees are required to cooperate with any investigation or allegations of violations of this policy. Providing false or misleading information or failing to cooperate may result in disciplinary action. Individuals making a complaint or participating as a witness in an investigation cannot be retaliated against. Any employee who engages in retaliation will be disciplined. The

Office of Equity and Inclusion does not make any findings until such time as it determines that it has completed its fact gathering.

Our courts recognize that **participants in an administrative investigation have a privilege against a defamation charge**. In *Paros v. Hoemako Hospital*, 140 Ariz. 335, 681 P.2d 918 (Ct. App. Div. 2 1984), the court

recognized that the employer's response to a notice of charge of discrimination filed with the Equal Employment Opportunity Commission was absolutely privileged. In *Miller v. Servicemaster by Rees*, 174 Ariz. at 520, 851 P.2d 240, 243 (Ct. App. Div. 1 1993), the court recognized the existence of a conditional privilege for employees to report perceived acts of sexual harassment as public policy dictated that employees must be protected from workplace sexual harassment. Cited approvingly, *Carey v. Maricopa County*, 2009 WL 750225 (D. Ariz. 2009). Both *Paros* and *Miller* were cases concerning discrimination and harassment under Title VII. In addition to its obligations under Title VII, the University must also operate its educational programs and activities to be free from gender discrimination under Title IX.

The Office of Equity and Inclusion will proceed with its investigation as outlined in ACD 401 and P20. **The Office will not provide your client with its investigative file.** We look forward to Dr. Krauss's continuing cooperation. Regards,

Dear Naimah et al:

Attached you will find a letter from my attorney, along with a letter he sent to BuzzFeed earlier in this week regarding the defamatory and false story they were planning on printing. The story was then published yesterday morning. I wanted to add to his letter, to reiterate our concern about how your office was planning to follow up on the false and defamatory third-party allegations from BuzzFeed. Because this was initiated by an online entertainment news outlet with a clear agenda and established record of propagating false allegations about me, rather than by any of the individuals they refer to as sources, this should not be considered a credible allegation worthy of investigation. I believe that our initial discussion was sufficient to settle this matter. Whether or not you agree with this, there are two things I think are important to establish.

Firstly, that the University should not propagate what can be false allegations from such a source by presenting them directly to current and/or former employees or to others. To do so would be to further their libelous agenda, as Mr Waldman has emphasized. In this regard, I would appreciate seeing copies of the correspondence you might send to current or former employees about this in the process of carrying out and concluding your investigation.

Secondly, I reiterate once again that the Origins Project environment is supportive, candid, frank, honest, and productive, with all employees being treated with respect, as well as being supported and mentored. I am proud of our team, and I believe they feel the same way.

Thanks for your attention to these letters.

On Tue, Feb 27, 2018 at 6:30 PM, Lawrence Krauss <[REDACTED]> wrote:

Hi all:

I just wanted to clarify this further, in case it wasn't completely clear. I am not being represented by Adam vis a vis the University investigation. He is advising me regarding buzzfeed issues in case there is litigation required regarding BuzzFeed. So I haven't retained legal counsel for the University Investigation. Just so you know. You should continue to contact me if there any further questions, developments, etc. Thanks again.

Lawrence

On Feb 27, 2018, at 1:58 PM, Cynthia Jewett <[REDACTED]> wrote:

Thank you.

From: Lawrence Krauss [mailto:[REDACTED]]
Sent: Tuesday, February 27, 2018 1:55 PM
To: Cynthia Jewett <[REDACTED]>; Adam Waldman <[REDACTED]>; Naimah Saadiq <[REDACTED]>; Erin Ellison <[REDACTED]>
Cc: Lawrence Krauss <[REDACTED]>
Subject: Fwd: Private and Confidential, in response to our meeting.

Dear Cynthia et al:

Adam forwarded me your note while on a plane. I wanted to let you know that you can feel free to cc me on all communication or email me and cc Adam, as you wish. . Adam is advising me on matters related to BuzzFeed, and so it is appropriate to communicate to both of us in this regard. I expect he will be writing to you. In any case, I wanted to assure you that I will continue to cooperate with all your offices, as I have done thus far. I value the collegial relationship I have with all of my colleagues at ASU. I do hope Naimah's group has taken all of our concerns about BuzzFeed under advisement, but I also understand the requirements on the University as well.

Thanks for your attention to this.

Best

Lawrence Krauss

Lawrence M. Krauss
Director, The Origins Project at ASU
Co-Director, Cosmology Initiative
Foundation Professor
School of Earth & Space Exploration and Physics Department
Arizona State University, [REDACTED]
Research Office: [REDACTED] Assistant (Jessica): [REDACTED]
Origins Office (Cynthia): [REDACTED]
origins.asu.edu | [REDACTED] | krauss.faculty.asu.edu

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<image001.png>

Begin forwarded message:

From: Adam Waldman <[REDACTED]>
Subject: FW: Private and Confidential, in response to our meeting.
Date: February 27, 2018 at 12:28:21 PM PST
To: Lawrence Krauss <[REDACTED]>

Fyi

Just got back on wifi and reading now

From: Cynthia Jewett <[REDACTED]>
Date: Tuesday, February 27, 2018 at 3:21 PM
To: Adam Waldman <[REDACTED]>
Cc: Naimah Saadiq <Naimah.Saadiq@asu.edu>, Erin Ellison <Erin.R.Ellison@asu.edu>
Subject: FW: Private and Confidential, in response to our meeting.

Mr. Waldman,

Your client, Lawrence Krauss, copied me on his February 23rd email communication to the Office of Equity and Inclusion. I am writing to convey the University's position on its responsibility to conduct administrative investigations into allegations of conduct that would violate institutional policy, if true. Because Dr. Krauss has retained legal counsel, I am writing directly to you. You may forward my communication on to your client. Without having first secured your permission, I did not think it was proper for me to copying him on this reply.

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The Office of Equity and Inclusion will proceed with its investigation as outlined in ACD 401 and P20. The Office will not provide your client with its investigative file. We look forward to Dr. Krauss's continuing cooperation. Regards,

Cynthia L. Jewett
Senior Associate General Counsel
Arizona State University



From: Lawrence Krauss [mailto: [REDACTED]]
Sent: Friday, February 23, 2018 4:19 PM
To: Naimah Saadiq [REDACTED]; Cynthia Jewett [REDACTED]
Cc: Adam Waldman < [REDACTED] >; Lawrence Krauss < [REDACTED] >
Subject: Private and Confidential, in response to our meeting.

Dear Naimah et al:

Attached you will find a letter from my attorney, along with a letter he sent to BuzzFeed earlier in this week regarding the defamatory and false story they were planning on printing. The story was then published yesterday morning. I wanted to add to his letter, to reiterate our concern about how your office was planning to follow up on the false and defamatory third-party allegations from BuzzFeed. Because this was initiated by an online entertainment news outlet with a clear agenda and established record of propagating false allegations about me, rather than by any of the individuals they refer to as sources, this should not be considered a credible allegation worthy of investigation. I believe that our initial discussion was sufficient to settle this matter. Whether or not you agree with this, there are two things I think are important to establish.

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Secondly, I reiterate once again that the Origins Project environment is supportive, candid, frank, honest, and productive, with all employees being treated with respect, as well as being supported and mentored. I am proud of our team, and I believe they feel the same way.

Thanks for your attention to these letters.

Lawrence Krauss

Dear Ms. Saadiq:

My name is Adam Waldman, and I am Professor Lawrence Krauss' litigation counsel. Earlier this week, I sent the attached letter to BuzzFeed via one of their reporters named Peter Aldhous.

I am also in receipt of Mr. Aldhous' letter to ASU, which is a variation on defamation – both libel and slander – that Mr. Aldhous and his colleagues have been manufacturing for at least 6 months (notably without any reporting) in a campaign with a purpose known only to them. BuzzFeed's first method is to call or write third parties, posit a list of fake, anonymous, recklessly false and malicious "allegations," and ask if the third party has anything to add. BuzzFeed's second method is to seek tortious interference with Professor Krauss' professional contracts, by writing third parties with whom Professor Krauss is in privity, present a similarly inflammatory series of anonymous, recklessly false and malicious accusations, and then question: how can the email's recipient allow such a person to serve on their board, or speak at their conference? The letter from BuzzFeed to the University falls into both categories. There will be appropriate legal consequences for BuzzFeed's actions.

It is my understanding that your office believes it is compelled by the above to investigate false, defamatory, anonymous accusations posited by the online tabloid BuzzFeed by contacting third parties and potentially rebroadcasting the tabloid BuzzFeed's accusations. To be clear, these accusations were not made to the University by actual human beings who are alleging they were victims. There is no evidence they were presented to BuzzFeed by actual human beings. Moreover, no present or former employees of ASU have made any such allegations to your office, or to any office at ASU, to our knowledge. They are simply alleged by a tabloid, and one that had yet published a "story" on the topic when they forwarded these to you. You may propose to rebroadcast this tabloid's libel to other third parties who have also made no accusation against Professor Krauss. I suggest that you consult with the University's counsel before taking so rash a step as re-broadcasting hearsay defamation that came to you via an online tabloid under these circumstances. Professor Krauss and I both recognize the absolute need to investigate real allegations. Some of the women who have bravely come forward with personal harassment allegations against Harvey Weinstein are my clients and friends. Some of these victims have been advised by me. Those actual allegations are entirely distinct from a tabloid attempting to manufacture allegations to create harm.

Sincerely,
Adam Waldman

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Begin forwarded message:

From: Adam Waldman <[REDACTED]>
Date: Tuesday, February 20, 2018 at 5:42 PM
To: Peter Aldous <[REDACTED]>
Subject: Cease and Desist/Professor Lawrence Krauss

Dear Mr. Aldous:

I am writing as litigation counsel to Professor Lawrence Krauss. It has come to my attention that you and BuzzFeed have engaged in an outrageous and protracted defamation campaign against Professor Krauss, including both libel and slander. BuzzFeed's campaign has been malicious, undertaken with absolute reckless disregard for the truth, and despite repeated disapprovals of the falsehoods you continue to harmfully disseminate. Your defamatory efforts have also been undertaken, for reasons known only to you and your colleagues, with the intention of tortiously interfering with the contracts of Professor Krauss, and BuzzFeed has unfortunately succeeded in this malignant purpose. We have both testimony and documents from a litany of well respected third parties that provide overwhelming evidence of your and BuzzFeed's malfeasant attacks on Professor Krauss. We are still tallying the damage.

You and BuzzFeed will immediately cease and desist from further defamatory statements regarding Professor Krauss, and you and BuzzFeed will immediately cease and desist from any further efforts to tortiously interfere with Professor Krauss' contracts. If you and BuzzFeed are unwise enough to ignore this notice to cease and desist from the actions described above, the appropriate legal response will be swift. Notwithstanding the foregoing, all legal rights are reserved.

If you have more harassing emails or any prospective communication you wish to transmit to Professor Krauss, you are instructed to send them to me as he is now represented by counsel. If your or BuzzFeed's counsel, whomever they may be, wish to send me a letter in response to the above, be aware that I may, depending on its contents and because I would be obligated to forward it to my client, consider such letter to also constitute a trigger of the above and react accordingly. Professor Krauss has suffered enough abuse at your hands without commensurate consequences.

Sincerely,
Adam Waldman

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Lawrence M. Krauss
Director, The Origins Project at ASU
Co-Director, Cosmology Initiative
Foundation Professor

School of Earth & Space Exploration and Physics Department

Arizona State University, [REDACTED]

Research Office: [REDACTED] Assistant (Jessica): [REDACTED]

Origins Office (Cynthia): [REDACTED]

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Lawrence M. Krauss

Director, The Origins Project at ASU

Co-Director, Cosmology Initiative

Foundation Professor

School of Earth & Space Exploration and Physics Department

Arizona State University

Research Office: [REDACTED] | Assistant (Jessica): [REDACTED]

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