

**From:** J <jeevacation@gmail.com>

**To:** Lawrence Krauss <[REDACTED]>

**Subject:** Re: Krauss - urgent re compliance with agreement

**Date:** Sun, 21 Oct 2018 21:55:41 +0000

---

I would also be comfortable in the next few days. To say you weren't allowed to test the credibility of any woman that was interviewed.

On Sun, Oct 21, 2018 at 5:47 PM Lawrence Krauss <[REDACTED]> wrote:

Thanks. Much appreciated. I didn't see anything disparaging in the public statement. Just statement of facts. Good to know about their Sabre rattling though. Will let it stand there and make no more public statements for awhile.

And my letter to crow was also a statement of facts and offer to help and not disparagement at all.

Anyway, no need for you to have done anything at all or do anything in response to anything she says but thanks for passing this on and anything else. I will be contacting Kim later today about the redactions needed in the docs they will release and will ask surprised about anything else.

And they never told me I couldn't speak out before they did. Poor asu. I feel their pain.

**Lawrence M. Krauss**

**Professor**

School of Earth & Space Exploration and Physics Department  
Arizona State University, P.O. Box 871404, Tempe, AZ 85287-1404

[REDACTED]  
[REDACTED] | [krauss.faculty.asu.edu](mailto:krauss.faculty.asu.edu)

Sent from my iPhone

On Oct 21, 2018, at 4:37 PM, Justin Dillon <[REDACTED]> wrote:

FYI. They are being aggressive about the disparagement, as I worried they would. You are playing a dangerous game, Lawrence, even as I absolutely sympathize with you.

Justin Dillon

KaiserDillon PLLC  
[REDACTED]  
[REDACTED]

Begin forwarded message:

**From:** Justin Dillon <[REDACTED]>  
**Subject:** Re: Krauss - urgent re compliance with agreement  
**Date:** October 21, 2018 at 5:36:38 PM EDT  
**To:** Kimberly Demarchi <[REDACTED]>

Kim,

Thanks for sharing your concerns. Could you please be specific about what you believe constituted disparagement in violation of the Agreement, so I can communicate that to Professor Krauss?

Thanks,

Justin

Justin Dillon

KaiserDillon PLLC

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

On Oct 21, 2018, at 5:13 PM, Kimberly Demarchi <[REDACTED]> wrote:

Justin,

We have a serious problem, and I'm writing to ask for your help in resolving it before it becomes worse.

The retirement letter your client submitted yesterday (copy attached) did not simply announce his retirement, but instead made several disparaging statements about the University and the investigation process. He then released a statement on Twitter with additional commentary (see below) and contacted the State Press. He did this despite being aware that the University did not intend to make the agreed-upon, limited statement until Monday, a timing that we announced in order to accommodate his stated desire to request additional redactions of the public records that will be released pursuant to our legal obligations.

Dr. Krauss's statements violate the non-disparagement provisions of the agreement, and the timing and nature of the statements is a transparent attempt to do so before the University could release the limited and neutral statement to which the parties have agreed.

At this point, I've managed to convince my clients that it would be better to simply make their planned statements and document releases, answer any media questions consistent with their non-disparagement obligations, and move on. **But if your client continues with these kinds of disparaging public statements, we will have no choice but to deem Dr. Krauss in violation of the agreement and pursue all available remedies, which could include invalidating any obligation to make further payments of compensation and benefits or to consent to a return of donated funds.**

It would be better for both of our clients to put this behind them and go their separate ways. I implore you to reason with your client, before his conduct escalates and this dispute becomes worse.

Kim

**Kimberly A. Demarchi**  
[Profile](#) | [Add me to your address book](#)



TWITTER STATEMENT:

<image001.png>

<retirementlmk.pdf>

--

please note

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. It is the property of JEE

Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by return e-mail or by e-mail to [jeevacation@gmail.com](mailto:jeevacation@gmail.com), and destroy this communication and all copies thereof, including all attachments. copyright -all rights reserved