

From: J <jeevacation@gmail.com>

To: Lawrence Krauss <[REDACTED]>

Subject: Re: advise letter I just sent out to some legal friends who have been consulted during this:

Date: Fri, 19 Oct 2018 16:59:43 +0000

The only question is , if it is disparaging- so what?

On Fri, Oct 19, 2018 at 12:35 PM Lawrence Krauss <[REDACTED]> wrote:

Other advantages of 2.. which I am pretty well honing in on:

1. The second letter doesn't have the same time pressure and can be crafted more carefully.

and

2. I can send it after the University publicly announces they have accepted my retirement.. This will, I believe, make it MUCH more difficult for them to back out than it would if they backed out of the deal upon receiving a retirement letter they don't like and before they announce we have a deal.

so.. still want thoughts on this.

On Oct 19, 2018, at 6:10 PM, Lawrence Krauss <[REDACTED]> wrote:

I am sending this to a few legal colleagues for their advise too.. Sending it to you because I like my solution (see 2 below). Your thoughts?

Hi _____: I am signing the final version of the contract, which doesn't vary much from what you saw.. only thing is university took out the date of my retirement in the public statement because they want to make it look like I am retiring effective today, even though I am not.. I am not too worried about that, because I can publicize the true fact.

On a more important matter perhaps: The University has made it clear they intend to release the contract, and also my letter to Michael Crow.. (namely they expect to have to release it due to public records request.. they are going to release all of the provost's determinations, based on the flawed OEI investigation, due to existing PRR's, which is another issue because they have also warned me against releasing my appeal letter in response, because my lawyer was dumb enough to suggest that I was threatening to do that..but we can deal with that later). As a result my lawyer has warned me against sending the letter I have written because the University will say I knew the letter would be released, and therefore I am knowingly releasing a disparaging letter.. and potentially make the contract null and void immediately. While I don't think it is guaranteed, I now do think that this has higher probability because they have informed us that they expect to release it.

So two questions

1. do you agree with this reasoning?

2. If you do (and I am happy if you don't), here is my new plan. I was thinking of releasing a short, but pointed retirement letter to Crow, and in that letter saying I am writing him, under separate cover, a confidential letter advising him on my experience and my concerns for the University community as a whole

with recommendations to him on things I think need to be done to ensure a better environment at the University.. or something like that. That way, the retirement letter is not particularly disparaging, and I assume that journalists can later ask for the second letter and maybe the university will have to release that, but they will not have informed me at this point that that is the case, so I will be protected. Does that sound reasonable? I need an answer today as my letter will be due in approximately 24 hours or so.

Thanks!

Lawrence M. Krauss

Professor

School of Earth & Space Exploration and Physics Department
Arizona State University, P.O. Box 871404, Tempe, AZ 85287-1404
Research Office: [REDACTED] Assistant [REDACTED]

Lawrence M. Krauss

Professor

School of Earth & Space Exploration and Physics Department
Arizona State University, P.O. Box 871404, Tempe, AZ 85287-1404
Research Office: [REDACTED] | Assistant [REDACTED]

--
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, and destroy this communication and all copies thereof, including all attachments. copyright -all rights reserved