

From: Lawrence Krauss <[REDACTED]>
To: Justin Dillon <[REDACTED]>, J <jeevacation@gmail.com>, nancy dahl <[REDACTED]>
Cc: Lawrence Krauss <[REDACTED]>
Subject: Re: Krauss settlement agreement - revised draft
Date: Fri, 12 Oct 2018 20:12:36 +0000

Justin:

I have read through this, and have talked to Nancy. I will try and reach out to Jeffrey. Based on this, I think we am ready for you to contact her and say that if they make the following changes:

1. correct the Foundation Name to Black, and also add Charles Brickman, John and Dawn Edwards, Stephen Horne, Joseph Logan, and (possibly) the other donors from the Origins Amazon Cruisethe list.
2. make the modification in the University statement I sent yesterday as per Jeffrey.
3. make the minor wording changes to the disparagement clause that you and I discussed yesterday.

then we are willing to sign.

I will let you know when Jeffrey confirms this..

LMK

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 (Jessica): [REDACTED]

On Oct 12, 2018, at 1:02 PM, Justin Dillon <[REDACTED]> wrote:

Ready to talk whenever you are. I'll be unavailable from about 4:30-5 my time but otherwise around.

Justin Dillon

KaiserDillon PLLC
1401 K St. NW
Suite 600
Washington, DC 20005
[REDACTED]

From: Lawrence Krauss <[REDACTED]>
Sent: Friday, October 12, 2018 3:53:14 PM

To: Justin Dillon
Cc: nancy dahl; J
Subject: Re: Krauss settlement agreement - revised draft

p.s. not only is it the Black Foundation, but one of the other significant donors, Chuck Brickman, who gave \$40K this year, and pledged an additional \$80K has specifically contacted me to indicate his desire to move the funds to support my activities if possible. In addition, the following other donors, who gave \$2.5K apiece to the Foundation as part of the Amazon cruise commitment have contacted me with similar interests. John and Dawn Edwards, Steven Horne, Joe Logan. If they want to restrict it to this list rather than all the donors I guess I am ok with it. Or if they want to indicate they will agree to Black, Brickman, and the Origins Cruise participant donors, then we can check with all of them in due course.

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 (Jessica): [REDACTED]

On Oct 12, 2018, at 12:37 PM, Justin Dillon <[REDACTED]> wrote:

See below. I just responded and asked if we could have until Monday, given how late in the day it is. I will call you shortly.

Justin Dillon

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Begin forwarded message:

From: Kimberly Demarchi <[REDACTED]>
Subject: Krauss settlement agreement - revised draft
Date: October 12, 2018 at 3:08:01 PM EDT
To: "Justin Dillon ([REDACTED])" <[REDACTED]>

Justin,

I'm writing to follow up on our conversation and correspondence yesterday regarding the proposed settlement.

ASU is willing to agree that any funds donated by the Brown Foundation that remain unspent may be transferred from the ASU Foundation to another non-profit organization, if the Brown Foundation so directs. At this point, I've been able to determine that there is a total of \$1,209,479.32 on deposit with the ASU Foundation for the Origins Project's operating expenses. Some of that may be from other donors, so it is possible that not all of it would be transferred. But whatever is attributable to the Brown Foundation would be transferred, provided that the Brown Foundation directs the ASU Foundation to do so and tells it what nonprofit should receive the funds.

Although I do not agree with your analysis, we will agree to remove the reference to the ADEA from the release paragraph, which should put an end to the discussion regarding whether it is necessary to provide your client with a review period or the option to revoke.

ASU is not willing to extend the retirement date beyond May 2019 or make additional payments, nor is it willing to transfer the funds in its local accounts to another institution.

I have attached a revised agreement along these lines. I am available for discussion as needed.

Best wishes,
Kim

Kimberly A. Demarchi

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<Krauss settlement agreement - 2018-10-12 Revision.pdf>