

From: Lawrence Krauss <[REDACTED]>
To: Justin Dillon <[REDACTED]>
Subject: Re: Krauss settlement agreement - revised draft
Date: Fri, 12 Oct 2018 19:46:42 +0000

p.s. it is the Black foundation.. but I suppose one dark color is as good as the next.

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]

[REDACTED] | www.lawrencemkrauss.com

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

KaiserDillon PLLC
1401 K Street NW
Suite 600
Washington, DC 20005
[REDACTED]
www.kaiserdillon.com

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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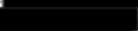
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[2929 North Central Avenue](#)

[21st Floor](#)

[Phoenix, Arizona 85012](#)

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