

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 19:44:03 +0000

Attachments: Krauss_settlement_agreement_-_2018-10-12_Revision.pdf

Thanks.. This is on the whole not bad news. Am happy about the Foundation stuff.. and at this point I was pretty sure the university would not come up with more dough, nor as I indicated on the phone did I expect them to agree to lump sum with earlier retirement. I will read this. Let me know about the Monday deadline. I am ready to go today if necessary.. I am forwarding this on to Jeffrey and Nancy for them to look at. Once I look at this, and if we approve it, then you can contact her about the other, presumably final, changes in wording, and we should be ready to go. DON't want to rush it, but it would be nice to have this done before the weekend if it is workable, not least because I will be traveling on Monday.. Though of course I could always sign things on the weekend or Monday afternoon during a layover in Dallas airport if necessary.

Will get back to you after I read this.

LMK

Lawrence M. Krauss

Professor

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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,

EFTA01019862

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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