

From: "jeffrey E." <jeevacation@gmail.com>
To: Lawrence Krauss <[REDACTED]>
Subject: Re: appeal process
Date: Fri, 21 Sep 2018 22:13:54 +0000

I was wrong

On Fri, Sep 21, 2018 at 5:51 PM Lawrence Krauss <[REDACTED]> wrote:
FYI.

Lawrence M. Krauss

Professor

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

[REDACTED]
| twitter.com/lkrauss1 | www.lawrencemkrauss.com

Begin forwarded message:

From: Mark Searle <[REDACTED]>
Subject: RE: appeal process
Date: September 21, 2018 at 2:17:06 PM PDT
To: Lawrence Krauss <[REDACTED]>

Lawrence

Sorry for the delay. If there is an administrative hearing before CAFT, the faculty member can be represented by his attorney. The language of "limitation" in ABOR 6-201.L.4.g(1) pertains to how an advisor is used, not an attorney. I've bolded the text below that pertains to use of an advisor.

At the party's own election and cost, to be represented by counsel **or accompanied by an advisor, which advisor may consult with and advise the party but shall not otherwise participate.**

So, Mr. Dillon, should he be representing you, can make the opening and closing statements, ask questions of the faculty member's witnesses and cross-exam the dean's witnesses. The hearing is conducted per the ABOR procedures consistent with ARS §41-1062 (Arizona Administrative Procedures Act)("A hearing may be conducted in an informal manner and without adherence to the rules of evidence required in judicial proceedings.")

I hope this clarifies the matter.

Mark S. Searle, Ph.D.
Executive Vice President & University Provost
and
Professor, School of Community Resources & Development
Arizona State University
Fulton Center, Suite 420
Tempe, AZ

EFTA01022296

[REDACTED]

From: Lawrence Krauss [mailto:[REDACTED]]
Sent: Wednesday, September 19, 2018 8:11 AM
To: Mark Searle <[REDACTED]>
Subject: appeal process

The ABOR regs. are a bit confusing. If it goes to appeal hearing of Committee on Academic Freedom and Tenure can an attorney represent me and cross-examine witnesses?

LMK

Lawrence M. Krauss
Professor

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

[REDACTED]
| twitter.com/lkrauss1 | www.lawrencemkrauss.com

--

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