

From: Lawrence Krauss [REDACTED]
To: "jeffrey E." <jeevacation@gmail.com>
Subject: Re: hi.. hope all is well
Date: Mon, 03 Sep 2018 04:07:34 +0000

Yes

Lawrence M. Krauss

Professor

School of Earth & Space Exploration and Physics Department
Arizona State University, [P.O. Box 871404, Tempe, AZ 85287-1404](mailto:ASU)

Research Office [REDACTED]

Assistant (Jessica): [REDACTED]
[REDACTED]
[REDACTED] | [REDACTED]

Sent from my iPhone

On Sep 2, 2018, at 6:13 PM, jeffrey E. <jeevacation@gmail.com> wrote:

You need rehearsal

On Sun, Sep 2, 2018 at 8:52 PM Lawrence Krauss <[REDACTED]> wrote:

first.. PLEASE SEND EMAIL TO [REDACTED]!

Second.. yes, we will see what his bill is.. Re eventual meeting.. yes, discipline.. but you have to understand who I will be talking to at that meeting. No lawyers, no reps from University.. 3 faculty whose entire knowledge of the case will come from Dean's letter to me and my appeal (plus, if they agree.. my other two memos). So they will not be able to answer almost all of the questions here. I can bring up these questions as ones I have for admin.. but they cannot answer them. My goal will be to go in and elaborate on any questions they have.. and indeed will point out questions.. indicate that I want to work out a solution, and the Dean's proposal is inappropriate as it stands.

good point about the failure to report issue re Penelope.. I wonder if I should report her to OEI.

LMK

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On Sep 2, 2018, at 4:18 PM, jeffrey E. <jeevacation@gmail.com> wrote:

lets see justins billi on tues. then you will need prep for conciliation . and discipline!!!! 1. you should ask questions not give answers. ex. how do you come to the conclusion that ASU has jurisdiction .? can you define for me sexual harrasment . can you point to the regs. . the drawing. ? silly, has any student complained prior to buzz feed articele. has any faculty has any ask questions . as much as you can. why did they choose to believe. . as you know the title 9 rules are being modified. I assume we will operate under the proposed regs. as you are on notice. of the changes. ?? if they say no, you might suggest , waiting until they are finalized as after a hearing you will fly a court action. that will by definition. have the new rules in place by that time. You would like to work out a solution. you would like to work out a solution. . over and over. \ you need to appear reasonable. if you argue, you were awkward. . accidnet after accident skirt breast comments it appears weak. . you CANNOT attack the peopel that complained you need to attack their testimony. I dont want to atttack the women, I would like you to make your own decision based on the facts. . etc. . the facts the rules and the law. . if you appear misleading , one time its over. !! you were not believed the first time. you were too defensivie. . you made statmeents that were silly , ie no problem with case as i was invited back ??? . cant say that again. lucy hawkins was the daughter of my friend. I will happily have a face to face with the supervisor that filed the report. she never filed it when she heard it. is that a failure to report issue. lucy wants no part of this. . to suggest she told someone that never diid anything , but when asked recalled a story she onve heard. ? does that seem fair. quesiton quesiton. . dont say ITS NOT FAIR !! I understand the concern. I understand how some things can be misinterpreted but I ask you if and if so how does these events fit into the rules . law. and regs. can you explain it to me.

On Sun, Sep 2, 2018 at 6:11 PM, Lawrence Krauss <[REDACTED]> wrote:

she is a journalist in Australia who was also on our Amazon cruise.. she was involved in a defamation suit in OZ, and if my memory is correct, she either launched the suit, or a countersuit, and fought it through to the end and won some money. She is also a strong supporter and has become a friend of ours.

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| [REDACTED] | [REDACTED]

On Sep 2, 2018, at 2:31 PM, jeffrey E. <jeevacation@gmail.com> wrote:

who is she??

On Sun, Sep 2, 2018 at 4:47 PM, Lawrence Krauss <[REDACTED]> wrote:

here are the arguments against and for a suit, sent a few weeks ago by Alison with experience, from OZ..

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| [REDACTED] | [REDACTED]

Begin forwarded message:

From: Alison B

Subject: Re: hi.. hope all is well

Date: August 17, 2018 at 11:55:55 PM PDT

To: Lawrence Krauss <[REDACTED]>

Hello there, i am sorry to hear that, Lawrence. Sorry if my reply is a bit late as i have been out of internet range as i am in Tonga.

That is terrible that ASU sent the report to Mel Thomson and horrible that she distributed it. Don't these people have any serious battles to fight? There are so many huge problems in the world and they are attacking a great person for what? Trivia. It is trivial.

Vis a vis defamation, be a bit wary and have a think about the action is the tight course of action for you, and consult your misses who is extremely wise, also.

On the one hand if you can prove this woman lied, you may win a defamation case against her.

On the other hand, if you start that fight it could drag on for 2 or 3 years and thus keep appearing in the news. Worse she could make extravagant claims and make demands in the Discovery process which would then get wide and repeated coverage.

Sometimes defamation cases can make everything worse, especially if she is able to make it appear as though you are persecuting her, and she is weak and defenceless crusading for principles and you are strong and powerful.

That would make it all worse.

On the other hand if you can prove she is a malicious actor who really had it in for you and can successfully win the PR war as well as the legal battle then it may be worth it.

Ideally you would join the publications that printed her claims to the suit. They should be your primary target as it is their job not to destroy lives with unsubstantiated claims. That also deters other publishers from having a go at you if they see you are likely to litigate and to win.

ASU determining against you complicates matters as people can print what they have determined in their report. However they are not a court. Are you able to take legal action against ASU in a court?

You need to appeal that decision and preferably take legal action against ASU. I am not sure how or under what legislation that could fall. But i think that universities must be bound by some sort of laws not to unfairly dismiss or find against staff because their internal processes are not courts. If laws are broken we have courts to deal with them. This is extra-judicial. So if they violate your own rights with their non-court determination i would think there should be some form of legal redress, but you would need a US lawyer for that one.

I think you need to attack this issue at the root

I would say nothing publicly until you have all your ducks in a row.

I would first appeal the ASU verdict and hit that with everything. That uncomplicates everything and allows you a free swing at everything else.

Because these things take time, i would ask the good defamation lawyer in Australia (just pay the money and get the best advice) about whether you can file against the publishing houses that published the false claims by Mel and then just add her on to the suit (but dont make it about her)

With the point about it being someone you had met before and not a stranger in the selfie, i would not rely on this point as it is not really relevant to the case and she can just say "i was mistaken it wasnt a malicious lie" and then she is off the hook on that point. Just stick to the actual best points, number 5 sounds promising.

I think you really need to make an appointment with the lawyer that briefs Stuart Littlemore.

Also weigh up the risk that if you sue, it will be news and that means others may be emboldened to come forward with claims of their own.

But ask Stuart Littlemore's briefing lawyer about your best course of legal action and what the pros and cons are.

It is complicated and there are lots of parts to weigh up. I am so sorry this is an awful thing to happen to a lovely person who is great fun and really kind hearted.

Make an appoint,ent, dont delay, talk to the good lawyer

And really good luck i am on your side.

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