

From: Lawrence Krauss <[REDACTED]>
To: "jeffrey E." <jeevacation@gmail.com>
Cc: Lawrence Krauss <lkrauss@asu.edu>
Subject: Re: hi.. hope all is well
Date: Sun, 02 Sep 2018 22:11:51 +0000

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.

Lawrence M. Krauss

Professor

School of Earth & Space Exploration and Physics Department
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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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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 appointment, don't delay, talk to the good lawyer

And really good luck I am on your side.

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JEE

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