
From: Lawrence Krauss <████████>
Sent: Tuesday, February 27, 2018 10:51 PM
To: Jeffrey E.
Subject: Re: Private and Confidential, in response to our meeting.

I will fill you in more later. In this case=you are not correct. First time.

=span class="" style="orphans: 2; widows: 2; background-color: rgba(255, 255, 255, 0);">Lawrence M. Krauss Director, The Origins Project at ASU =div style="orphans: auto; widows: auto;">Foundation Professor=nbsnbsp; School of Earth & Space Exploration and Physics Department <div> Arizona State University, <x-apple-data-detectors://1/1> Tempe, AZ 85287-1404 <x-apple-data-detectors://1/1> Research Office: ██████████, Assistant (Jessica): ██████████ <tel:48-965.9825> =/div>
<mailto:████████>
origins.asu.edu= <http://origins.asu.edu/> | twitter=com/lkrauss1 <http://twitter.com/lkrauss1> | krauss.faculty.asu.edu <http://krauss.faculty.asu.edu/> </=iv>

=sent from my iPhone

On Feb 27, 2018, at 2:40 PM, Jeffrey E. <jeevacation@gmail.com/> wrote:

<mailto:jeevacation@gmail.com>

<████████>=gt; wrote:

Dear Cynthia et al:

Adam forwarded me your note while on a plane. I wanted to let you know that you can feel free to cc me on all communication or email me and cc Adam, as you wish. Adam is advising me on matters related to Buzzfeed and so it is appropriate to communicate to both of us in this regard. I expect he will be writing to you. In any case, I wanted to assure you that I will continue to cooperate with all your offices, as I have done thus far. I value the collegial relationship I have with all of my colleagues at ASU. I do hope Naimah's group has taken all of our concerns about Buzzfeed under advisement, but I also understand the requirements of the University as well.

Thanks for your attention to this.

Best

Lawrence Krauss

Lawrence M. Krauss
Director, The Origins Project at ASU
Co-Director, Cosmology Initiative
Foundation Professor [REDACTED] <mailto:[REDACTED]>
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BPZc&s=mspp0SB=aPjp5BOPRbD2xX1zHCi4LgzTZ8KNgjNBBKg&e=> | krauss.faculty.asu.edu

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<=r>

Begin forwarded message:

To: Lawrence Krauss <[REDACTED]>

Fyi

Just got back on wifi and r=ading now

From: Cynthia Jewett <[REDACTED]> <mailto:[REDACTED]>
Date:
T=: Adam Waldman <[REDACTED]>
<mailto:[REDACTED]>>
Cc: Nai=ah Saadiq <[REDACTED]> <mailto:[REDACTED]> >= Erin Ellison
<[REDACTED]>/=>
Subject: FW: Private and Confidential, in response to our meeting.
<mailto:[REDACTED]>

Mr. Waldman,

Your client, Lawrence Krauss, copied me on his February 23rd email communication to the Office of Equity and Inclusion. I am writing to convey the University's position on its responsibility to conduct administrative investigations into allegations of conduct that would violate institutional policy, if true. Because Dr. Krauss has retained legal counsel, I am writing directly to you. You may forward my communication on to your client. Without having first secured your permission, I did not think it was proper for me to copy him on this reply.

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Our policy on the Prohibition Against Discrimination, Harassment, and Retaliation (ACD 4=1 <= href="https://www.asu.edu/aad/manuals/acd/acd401.html" style="color:purple;text-decoration:underline" target=" _blank">https://www.asu.edu/aad/manuals/acd/acd401.html) and its accompanying procedures (P20 --link to the procedures is embedded in the policy document) directs the Office of Equity and Inclusion to conduct prompt and equitable investigations. Among the points stated are that the Office accepts anonymous complaints as well as direct complaints. University employees are required to cooperate with any investigation or allegations of violations of this policy. Providing false or misleading information or failing to cooperate may result in disciplinary action.

Individuals making a complaint or participating as a witness in an investigation cannot be retaliated against. Any employee who engages in retaliation will be disciplined. The Office of Equity and Inclusion does not make any findings until such time as it determines that it has completed its fact gathering.

Our courts recognize that participants in an administrative investigation have a privilege against a defamation charge. In *Paros v. Hoemako Hospital*, 140 Ariz. 335, 681 P.2d 918 (Ct. App. Div. 2 1984), the court recognized that the employer's response to a notice of charge of discrimination filed with the Equal Employment Opportunity Commission was absolutely privileged. In *Miller v. Servicemaster by Rees*, 174 Ariz. at 50, 851 P.2d 240, 243 (Ct. App. Div. 1 1993), the court recognized the existence of a conditional privilege for employees to report perceived acts of sexual harassment as public policy dictated that employees must be protected from workplace sexual harassment. Cited approvingly, *Carey v. Maricopa County*,¹⁰ *Paros* and *Miller* were cases concerning discrimination and harassment under Title VII. In addition to its obligations under Title VII, the University must also operate its education programs and activities to be free from gender discrimination under Title IX.

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The Office of Equity and Inclusion will proceed with its investigation as outlined in ACD 401 and P20. The Office will not provide your client with its investigative file. We look forward to Dr. Krauss's continuing cooperation. Regards=

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Cynthia L. Jewett

Senior Associate General Counsel</=pan>

Arizona State University<=u>

=> </=pan>

<mailto: [REDACTED]>

=div style="margin:0in 0in 0.0001pt;font-size:12pt;font-family:'Times-New Roman',serif">

Lawrence Krauss [mailto: [REDACTED]]

Sent: Friday, February 23= 2018 4:19 PM

To: Naimah Saadiq [REDACTED] <mailto: [REDACTED]>; Cynthia

Jewett <[REDACTED]>

>>

Cc: Adam Waldman <[REDACTED]>

<mailto: [REDACTED]>; Lawrence Krauss <

<mailto: [REDACTED]>

Subject:</=> Private and Confidential, in response to our meeting.

Dear Naimah et al:

Attached you will find a letter from my attorney, along with a letter he sent to Buzzfeed earlier in this week regarding the defamatory and false story they were planning on printing. The story was then published yesterday morning. I wanted to add to his letter, to reiterate our concern about how your office was planning to follow up on the false and defamatory third-party allegations from Buzzfeed. Because this was initiated by an online entertainment news outlet with a clear agenda and established record of propagating false allegations about me, rather than any of the individuals they refer to as sources, this should not be considered a credible allegation worthy of investigation. I believe that our initial discussion was sufficient to settle this matter. Whether or not you agree with this, there are two things I think are important to establish.

Firstly, that the University should not propagate what can be false allegations from such a source by presenting them directly to current and/or former employees or to others. To do so would be to further their libelous agenda, as Mr. Waldman has emphasized. In this regard, I would appreciate seeing copies of the correspondence you might send to current or former employees about this in the process of carrying out and concluding your investigation.

Secondly, I reiterate once again that the Origins Project environment is supportive, candid, frank, honest, and productive, with all employees being treated with respect, as well as being supported and mentored. I am proud of our team, and I believe they feel the same way.

Thanks for your attention to these letters.

=/u>
Lawren=e Krauss

Dear Ms. Saadiq:

My name i= Adam Waldman, and I am Professor Lawrence Krauss' litigation couns=l. Earlier this week, I sent the attached letter to Buzzfeed via one o= their reporters named Peter Aldhous.

I am also in receipt of Mr. Aldhous' letter to ASU, which i= a variation on defamation – both libel and slander – that M=. Aldhous and his colleagues have been manufacturing for at least 6 months (=otably without any reporting) in a campaign with a purpose known only to th=m. Buzzfeed's first method is to call or write third parties,=posit a list of fake, anonymous, recklessly false and malicious "al=egations," and ask if the third party has anything to add. Bu=zfeed's second method is to seek tortious interference with Profess=r Krauss' professional contracts, by writing third parties with who= Professor Krauss is in privity, present a similarly inflammatory series of=anonymous, recklessly false and malicious accusations, and then question: h=w can the email's recipient allow such a person to serve on their b=ard, or speak at their conference? The letter from Buzzfeed to the Un=versity falls into both categories. There will be appropriate legal consequ=nces for Buzzfeed's actions.

It is my understanding that your office believes it is compelled by th= above to investigate false, defamatory, anonymous accusations posited by t=e online tabloid Buzzfeed by contacting third parties and potentially rebro=dcasting the tabloid Buzzfeed's accusations. To be clear, the=e accusations were not made to the University by actual human beings who ar= alleging they were victims. There is no evidence they were presented=to Buzzfeed by actual human beings. Moreover, no present or former employee= of ASU have made any such allegations to your office, or to any office at A=U, to our knowledge. They are simply alleged by a tabloid, and one that had=yet published a "story" on the topic when they forwarded these to y=u. You may propose to rebroadcast this tabloid's libel to other third=parties who have also made no accusation against Professor Krauss. I s=ggest that you consult with the University's counsel before taking s= rash a step as re-broadcasting hearsay defamation that came to you via an o=line tabloid under these circumstances.

Professor Krauss and I both recognize the absolute need to investigate re=l allegations. Some of the women who have bravely come forward with p=rsonal harassment allegations against Harvey Weinstein are my clients and f=iends. Some of these victims have been advised by me. Those act=al allegations are entirely distinct from a tabloid attempting to manufac=u=e allegations to create harm.

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Begin f=rwarded message:
&n=sp;

From:&nb=p;=dam Waldman <[REDACTED]>
<mailto:[REDACTED]>
Date: Tuesday, February 20, 2018 at 5=42 PM

To: Peter Aldous <[REDACTED]<mailto:[REDACTED]>>

>

Subject: Cease and Desist/Professor Lawrence Krauss

Dear Mr. Aldous:

I am writing as litigation counsel to Professor Lawrence Krauss. It has come to my attention that you and Buzzfeed have engaged in an outrageous and protracted defamation campaign against Professor Krauss, including both libel and slander. Buzzfeed's campaign has been malicious, undertaken with absolute recklessness disregard for the truth, and despite repeated disproofs of the falsehoods you continue to harmfully disseminate. Your defamatory efforts have also been undertaken, for reasons known only to you and your colleagues, with the intention of tortiously interfering with the contracts of Professor Krauss, and Buzzfeed has unfortunately succeeded in this malignant purpose. We have both testimony and documents from a litany of well respected third parties that provide overwhelming evidence of your and Buzzfeed's malfeasant attacks on Professor Krauss. We are still tallying the damage.

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Sincerely,

Adam Waldman

=span style="font-size:10pt;font-family:Calibri,sans-serif">DISCLAIMER=u>

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Lawrence M. Krauss

Director, The Origins Project at ASU

Co-Director, Cosmology Initiative

Foundation Professor&nb=p;=br>School of Earth & Space Exploration and Physics

Department

Arizona State University, P.O. Box 871404, Tempe, AZ 85287-1404

Research Office: <tel:[REDACTED]8> | Assistant (Jessica): <tel:[REDACTED]>

<tel:[REDACTED]>

Origins Office (Cynthia): <tel:[REDACTED]>

<= href="mailto:[REDACTED]" style="color:purple;text-decoration:underline" target="_blank"> krauss.faculty.asu.edu

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&n=sp; please note

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