

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS—HARVARD
FACULTY CHAPTER, and AMERICAN
ASSOCIATION OF UNIVERSITY
PROFESSORS,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
JUSTICE et al.

Defendants.

Case No. 1:25-cv-10910

**UNOPPOSED MOTION FOR LEAVE TO PARTICIPATE IN
STATUS CONFERENCE IN RELATED CASE NO. 1:25-CV-11048**

Plaintiffs respectfully submit this Motion for leave to participate in the status conference scheduled for Monday, April 28, at 10:30am, in the related case of *President & Fellows of Harvard Coll. v. Dep't of Health & Hum. Servs.*, Case No. 1:25-cv-1104. Counsel have conferred as required by Local Rule 7.1(a)(2) and Defendants do not oppose this Motion.¹

On April 11, 2025, Plaintiffs filed this lawsuit challenging the Trump administration's unlawful threats to withhold federal funding to Harvard under Title VI (ECF No. 1) and simultaneously filed a Motion for Temporary Restraining Order (ECF No. 4). The following Monday, April 14, Harvard officially rejected the Trump administration's demands (ECF No. 27, Ex. 2); and later that day, the Trump administration announced that it would freeze more than

¹ Plaintiff in the related case, President and Fellows of Harvard College, takes no position on this Motion.

\$2 billion in federal funding to Harvard (ECF No. 27, Ex. 3). In light of those developments, on April 15, Plaintiffs withdrew their motion for a temporary restraining order and asked the Court's leave to inform the Court of their further plans to seek other forms of expedited relief (ECF No. 27), which the Court granted (ECF No. 29). On April 18, Plaintiffs informed the Court that they intended to seek preliminary or other expedited relief and asked to provide a joint status report by May 16 (ECF No. 40). The Court granted the request that day (ECF No. 41).

On April 21, Harvard filed a separate lawsuit and designated its case as "related" to this action pursuant to Local Rule 40.1(g). *See President & Fellows of Harvard Coll. v. Dep't of Health & Hum. Servs.*, Case No. 1:25-cv-1104, ECF No. 1, Ex. 12 (Certificate of Related Case). Harvard's complaint raises largely the same claims brought by the Plaintiffs in this case. Both cases have been assigned to Your Honor. On April 23, Harvard filed an Unopposed Motion for Status Conference, informing the Court that it intends to seek final judgment on an expedited basis and requesting a status conference to set deadlines for the Government to produce its administrative record and to establish a briefing schedule on cross-motions. Case No. 1:25-cv-1104, ECF No. 21. The Court then set a status conference for Monday, April 28, at 10:30am (ECF No. 23).

Plaintiffs respectfully request permission to appear and participate in the status conference to discuss the briefing schedule including the possibility of a coordinated or consolidated schedule for both cases to efficiently address the substantially overlapping claims in both cases.

April 25, 2025

Respectfully submitted,

Philippe Z. Selendy*
Sean P. Baldwin*
Corey Stoughton*
Julie Singer*
Hannah R. Miles*
SELENDY GAY PLLC
1290 Avenue of the Americas 20th Floor
New York, NY 10104
Tel: 212-390-9000
pselendy@selendygay.com
sbaldwin@selendygay.com
cstoughton@selendygay.com
jsinger@selendygay.com
hmiles@selendygay.com

* Admitted *pro hac vice*

** *Pro hac vice* admission pending

/s/ Daniel Silverman

Daniel H. Silverman (BBO# 704387)
COHEN MILSTEIN SELLERS & TOLL PLLC
769 Centre Street
Suite 207
Boston, MA 02130
(617) 858-1990
dsilverman@cohenmilstein.com

Joseph M. Sellers *
Benjamin D. Brown*
Phoebe M. Wolfe *
Margaret (Emmy) Wydman**
COHEN MILSTEIN SELLERS & TOLL PLLC
1100 New York Avenue
Suite 800
Washington, D.C. 20009
Tel: 202-408-4600
jsellers@cohenmilstein.com
bbrown@cohenmilstein.com
pwolfe@cohenmilstein.com
ewydman@cohenmilstein.com

CERTIFICATE OF SERVICE

I hereby certify that this document, filed electronically through the Court's CM/ECF system, was sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: April 25, 2025

/s/ Daniel Silverman
Daniel Silverman