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17 ATTORNEYS FOR PLAINTIFF-INTERVENOR
UNITED STATES OF AMERICA

18 **UNITED STATES DISTRICT COURT**
19 **CENTRAL DISTRICT OF CALIFORNIA**

20 DO NO HARM, et al.,
21 *Plaintiffs,*
22 and
23 UNITED STATES OF
AMERICA,
24 *Plaintiff-Intervenor,*
25 v.

26 DAVID GEFFEN SCHOOL OF
27 MEDICINE AT UCLA, et al.,
28 *Defendants.*

Case No. 2:25-cv-04131-JWH-JDE

UNITED STATES OF AMERICA'S
REPLY IN SUPPORT OF UNOPPOSED
MOTION TO INTERVENE [DKT. 77]

Hearing Date: February 27, 2026
Hearing Time: 9:00 a.m.
Ctm: 9 D
Hon. John W. Holcomb

1 On January 28, 2026, the United States moved under Federal Rule of Civil
2 Procedure 24 to intervene in this action to remedy significant violations of the U.S.
3 Constitution arising from the David Geffen School of Medicine at UCLA's ("UCLA
4 Med") use of racial and ethnic preferences in admission to medical school.

5 On February 6, 2026, Defendant filed its Response to the United States'
6 Motion to Intervene (Dkt. 79). Defendant's Response "takes no position on the
7 Motion to Intervene," rendering the Motion to Intervene unopposed. Dkt. 79 at 2.
8 Defendant's Response also requests a case management conference on the litigation
9 schedule, the intervention, the United States' Title VI investigation. *Id.* Such a
10 conference would be unproductive and should not be scheduled.

11 **A. The Motion to Intervene is Unopposed and Should Be Granted Without**
12 **Further Consideration.**

13 Defendant filed its Response on February 6, 2026, before the deadline to
14 oppose the United States' Motion to Intervene. See LR 7-9. However, Local Rule 7-
15 9 requires that such an opposition must include "either (a) the evidence upon which
16 the opposing party will rely in opposition to the motion..., or (b) a written statement
17 that the party will not oppose the motion." Defendant's Response contains neither.
18 See Dkt. 79. The Response's absence of a substantive opposition to the motion, and
19 its statement that Defendant "takes no position on the Motion to Intervene," can only
20 reasonably be construed as "a written statement that the party will not oppose the
21 motion" under Local Rule 7-9. Dkt. 79 at 2. Any other interpretation of the Response
22 would render it non-compliant. Thus, this Court should immediately grant the
23 Motion to Intervene as unopposed.

24 **B. A Conference on Intervention and the Title VI Investigation is**
25 **Unnecessary.**

26 On page 2 of its Response, Defendant requests a "hearing or case management
27 conference" on the intervention and the United States' Title VI investigation,
28 "including whether and how the case schedule should be adjusted to account for [the

1 intervention].” Dkt. 79.

2 The Title VI investigation is outside of the scope of the United States’
3 Proposed Complaint in Intervention (Dkt. 77-2) and need not be addressed at this
4 time by the Court. Concerning the case schedule, the United States intends to comply
5 with the existing Scheduling Order in this case (Dkt. 68). Defendant has articulated
6 no reason why the present case schedule would prejudice its interests. Accordingly,
7 there is no reason to conduct a hearing or case management conference on any of
8 the issues raised in the Defendant’s Response.

9 **C. Waiver of Oral Argument.**

10 Because the Motion to Intervene is unopposed, the United States hereby
11 waives oral argument on the Motion under Local Rule 7-15. Defendant has not
12 explicitly waived oral argument on the Motion. However, their lack of opposition to
13 the Motion should be construed as a waiver. See Local Rules 7-15 and 7-16.
14 For the foregoing reasons, the Court should grant the United States’ Motion to
15 Intervene and order its intervention in this action, without oral argument and without
16 ordering a scheduling conference.

1 DATED: February 10, 2026.

Respectfully submitted:

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INTERVENOR

UNITED STATES OF AMERICA

CERTIFICATE OF COMPLIANCE

The undersigned, counsel of record for Plaintiff-Intervenor, certifies that this brief contains 499 words, which complies with the word limit of L.R. 11-6.1

Dated: February 10, 2026

/s/ Julie A. Hamill

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