



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street  
New York, New York 10007*

By electronic filing

January 30, 2026

Catherine O'Hagan Wolfe  
Clerk of Court  
United States Court of Appeals for the Second Circuit  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: *American Ass'n of University Professors v. DOJ*, No. 25-1529

Dear Ms. Wolfe:

This Office represents defendants-appellees (the "government") in the above-named case. Plaintiffs-appellants filed a motion on January 29, 2026 (ACMS no. 96), requesting that this Court seal the government's brief filed on January 28, 2026 (ACMS no. 94), and direct the filing of a redacted brief. Plaintiffs contend this is necessary due to the Court's sealing order dated October 14, 2025 (ACMS no. 73). In correspondence with the government, plaintiffs have identified one sentence that they believe contains information covered by the sealing order.

The government strongly disagrees that the brief includes information subject to the sealing order. Nevertheless, to avoid litigation over plaintiffs' motion and because the sentence in question is not critical to the government's arguments, the government has agreed to re-file its brief without that sentence. Accordingly, to resolve plaintiffs' motion, we respectfully request that the previously filed version (ACMS no. 94) be made inaccessible to the public and replaced with the new version the government is filing simultaneously with this letter. Thank you for your consideration.

Respectfully,

JAY CLAYTON  
United States Attorney for the  
Southern District of New York

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cc: Counsel for appellant (by electronic filing)