

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

FACULTY, ALUMNI, AND STUDENTS  
OPPOSED TO RACIAL PREFERENCES  
(FASORP),

Plaintiff,

v.

NORTHWESTERN UNIVERSITY; HARI  
OSOFSKY, in her official capacity as dean of  
Northwestern University School of Law; SARAH  
LAWSKY, JANICE NADLER, AND DANIEL  
RODRIGUEZ, in their official capacities as  
professors of law at Northwestern University;  
DHEVEN UNNI, in his official capacity as editor in  
chief of the Northwestern University Law Review;  
JAZMYNE DENMAN, in her official capacity as  
senior equity and inclusion editor of the  
Northwestern University Law Review,

Defendants.

Case No. 24-cv-5558

District Judge Sara L. Ellis

**DEFENDANTS' MOTION TO DISMISS**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and for the reasons set forth in the accompanying memorandum of law, Defendants Northwestern University, Hari Osofsky, Sarah Lawsky, Janice Nadler, Daniel Rodriguez, Dheven Unni, and Jazmyne Denman respectfully move this Court to dismiss the First Amended Complaint, ECF No. 25, for lack of Article III standing or, alternatively, for failure to state a claim.

Defendants' counsel Jude Volek held a telephone conference with Plaintiff's counsel Jonathan Mitchell at approximately 1:00PM CDT on October 25, 2024 to meet and confer

regarding this Motion. During that consultation, the parties made good faith attempts to resolve differences, but they were unable to reach an accord.

WHEREFORE, Defendants respectfully request that this Court dismiss the Complaint under Rule 12(b)(1) or Rule 12(b)(6).

Dated: October 28, 2024

Respectfully submitted,

By: /s/ Danielle Conley

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Janice Nadler, Daniel Rodriguez, Dheven  
Unni, and Jazmyne Denman*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 28, 2024, I filed the foregoing with the Clerk of Court by using the CM/ECF system and sent via electronic transmission to all parties of record.

/s/ Danielle Conley

Danielle Conley (*admitted pro hac vice*)