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

YITZCHOK FRANKEL *et al.*,
Plaintiffs,
v.
REGENTS OF THE UNIVERSITY
OF CALIFORNIA *et al.*,
Defendants.

Case No.: 2:24-cv-04702

**PLAINTIFFS' NOTICE OF
MOTION AND MOTION FOR
PARTIAL SUMMARY
JUDGMENT AND
PERMANENT INJUNCTION**

Judge: Hon. Mark C. Scarsi
Hearing: May 12, 2025, 9:00 a.m.
Courtroom: 7C

*Admitted *pro hac vice*. ‡Not admitted to the D.C. Bar; admitted only in Texas. Supervised by licensed D.C. Bar members.

1 TO DEFENDANTS AND TO THEIR COUNSEL OF RECORD:

2 NOTICE IS HEREBY GIVEN that on May 12, 2025, at 9:00 A.M.
3 in Courtroom 7C of the above-entitled court, located at 350 W. 1st St.,
4 Los Angeles, California, Plaintiffs will move and hereby move this
5 Court for partial summary judgment and to permanently enjoin
6 Defendants from operating in a way that violates Plaintiffs' rights
7 under the First Amendment's Free Exercise Clause. This motion is
8 made following the conference of counsel pursuant to L.R. 7-3 which
9 took place on February 3, 2025.

10 As described in more detail in the accompanying memorandum,
11 Plaintiffs are three Jewish students and one Jewish professor at
12 UCLA who wish to attend classes and other activities free from
13 discrimination and antisemitic harassment. But as things stand,
14 UCLA has failed to guarantee Plaintiffs equal access to UCLA's
15 educational facilities, indoor and outdoor areas on campus, and UCLA-
16 affiliated activities and programs. Rather, Defendants have supported
17 and facilitated religion-based exclusions.

18 UCLA's actions violate the Free Exercise Clause. The Supreme
19 Court has "repeatedly held that a State violates the Free Exercise
20 Clause when it excludes religious observers from otherwise available
21 public benefits." *Carson v. Makin*, 596 U.S. 767, 778 (2022). In
22 addition, government policies that (1) treat "*any* comparable secular
23 activity more favorably than religious exercise," *Tandon v. Newsom*,
24 593 U.S. 61, 62 (2021) (per curiam) (emphasis in original), or (2) allow
25 for a "discretionary" system of "individualized exemptions," *Fulton v.*
26 *City of Philadelphia*, 593 U.S. 522, 533, 536 (2021), violate the Free
27 Exercise Clause unless they satisfy strict scrutiny, *Fellowship of*

1 *Christian Athletes v. San Jose Unified Sch. Dist. Bd. of Educ.*, 82 F.4th
2 664, 686-90 (9th Cir. 2023) (en banc). Here, UCLA's policies violate all
3 three commands, and the policies do not satisfy strict scrutiny.

4 **WHEREFORE**, Plaintiffs respectfully request that this Court grant
5 them partial summary judgment and a permanent injunction in this
6 action. This request is based on this Notice of Motion and Motion; the
7 accompanying supporting Memorandum of Points and Authorities; the
8 L.R. 56-1 Statement of Uncontroverted Facts and Conclusions of Law;
9 the declarations and exhibits of Yitzchok Frankel, Joshua Ghayoum,
10 Eden Shemuelian, Kamran Shamsa, and Eric Rassbach; as well as the
11 papers, evidence, and records on file in this action; and any other written
12 or oral evidence or argument as may be presented at or before the time
13 this motion is heard by the Court. Plaintiffs are filing a proposed order
14 concurrently with this Notice of Motion and Motion.

1 Dated: February 28, 2025

2 Respectfully submitted,

3 /s/ Eric C. Rassbach

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