

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS–HARVARD
FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
JUSTICE et al.,

Defendants.

Case No. 1:25-CV-10910-ADB

**ORAL ARGUMENT SCHEDULED
FOR JULY 21, 2025**

PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT

Plaintiffs American Association of University Professors–Harvard Faculty Chapter (“AAUP-Harvard”), American Association of University Professors (“AAUP”), and International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (“UAW”) (collectively, “Plaintiffs”), through their attorneys, Selendy Gay PLLC and Cohen Milstein Sellers & Toll PLLC, hereby move, pursuant to Federal Rule of Civil Procedure 56, on Counts I–IV of their Second Amended Complaint, Dkt. 64.

Plaintiffs respectfully request that the Court:

1. Declare unlawful and set aside Defendants’ unlawful actions including (i) the withdrawal or cancellation of federal funds set out in the March 31 Announcement and April 3, April 11, May 5, May 6, May 9, and May 12 Letters and in the April 14 Funding Freeze; (ii) the refusal to consider Harvard for future federal grants set out in the May 5 Letter; and (iii) the funding conditions imposed in each of the April 3 and April 11 Letters, in each case as undertaken in the absence of constitutional and statutory authority, not in compliance with applicable law and procedure, unlawfully coercive, and unconstitutionally intended to target protected speech;
2. Permanently enjoin Defendants, their agents, and all persons acting in concert or participation with Defendants from undertaking any further investigation or review of Harvard University’s federal funding, including any threat to withdraw or cancel federal funding, imposition of conditions on federal funding, actual withdrawal or cancellation of federal funding, or categorical refusal to consider Harvard

University for future federal funding, in the absence of constitutional and statutory authority and compliance with applicable law and procedure;

3. Permanently enjoin Defendants, their agents, and all persons acting in concert or participation with Defendants undertaking any further investigation or review of Harvard University's federal funding, including any threat to withdraw or cancel federal funding, imposition of conditions on federal funding, actual withdrawal or cancellation of federal funding, or categorical refusal to consider Harvard University for future federal funding in order to coerce Harvard University to suppress viewpoints or speech of Plaintiffs and their members, or retaliate or discrimination against the viewpoints expressed by Harvard or Plaintiffs' members.

The grounds for this motion are set forth in the attached memorandum of law and the accompanying statement of uncontested material facts, declarations, and exhibits.

Dated: June 2, 2025

Respectfully submitted,

Philippe Z. Selendy*
Sean P. Baldwin*
Corey Stoughton*
Julie Singer*
Drake Reed*
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
dreed@selendygay.com

* admitted *pro hac vice*

By: /s/ Daniel H. 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*
Sabrina Merold*
COHEN MILSTEIN SELLERS & TOLL PLLC
1100 New York Ave NW, 8th Floor
Washington, DC 20005
(202) 408-4600
jsellers@cohenmilstein.com
bbrown@cohenmilstein.com
pwolfe@cohenmilstein.com
ewydman@cohenmilstein.com
smerold@cohenmiilstein.com

Attorneys for Plaintiffs

CERTIFICATE OF COMPLIANCE

I hereby certify that, pursuant to Local Rule 7.1(a)(2), the parties conferred and attempted in good faith to resolve or narrow the issue raised herein prior to the filing of this motion.

Dated: Boston, MA
June 2, 2025

/s/ Daniel H. Silverman

Daniel H. Silverman