

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

NATIONAL EDUCATIONAL ASSOCIATION,
et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
EDUCATION, *et al.*,

Defendants.

Case No. 1:25-cv-00091-LM

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Plaintiffs in the above captioned action respectfully file this Motion for Summary Judgment as to all claims. Plaintiffs filed this action on March 5, 2025. ECF 1. The Court, finding Plaintiffs demonstrated a likelihood of success on the merits, ordered preliminary injunctive relief on April 24, 2025. ECF 74. Plaintiffs filed their Second Amended Complaint on May 12, 2025. ECF 79. Plaintiffs have filed an accompanying memorandum of law and statement of undisputed facts supporting this Motion.

WHEREFORE, Plaintiffs respectfully request that this Court:

- A. Grant Plaintiffs' Motion for Summary Judgment and enter summary judgment in their favor as to all counts of the Plaintiffs' Second Amended Complaint. ECF 79;
- B. Vacate the Department of Education's February 14, 2025 Dear Colleague Letter, End DEI Portal, Frequently Asked Questions About Racial Preferences and Stereotypes Under Title VI of the Civil Rights Act, and April 3, 2025 Certification Requirement, or

in the alternative, permanently restrain or enjoin Defendants and their agents, employees or representatives, successors, and any other person acting directly or indirectly in concert with them, from enforcing and/or implementing the Dear Colleague Letter or Certification Requirement; and

C. Grant any other relief that is just or equitable.

Pursuant to Local Rule 7.1(d), Plaintiffs respectfully request oral argument given the importance of the issues presented in this Motion.

Dated: June 10, 2025

Respectfully submitted,

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