

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE,

Defendant.

Case No. 1:26-CV-11352-RGS

AMENDED COMPLAINT

INTRODUCTION

In the wake of Hamas' October 7, 2023, terrorist attack on the State of Israel, Jewish and Israeli students at Harvard University were harassed, physically assaulted, stalked, and spat upon. For several years, Jewish and Israeli students endured a hostile educational environment.¹ They were repeatedly denied access to educational facilities by antisemitic demonstrators. Fearful for their safety, Jewish students wore baseball caps to conceal their yarmulkes or kept out of sight, effectively denying them access to Federally funded educational opportunities.

Harvard's response to this: do nothing. Its faculty and leadership turned a blind eye to antisemitism and discrimination against Jews and Israelis. Students and faculty violated Harvard's time, place, and manner rules with impunity; rules that Harvard has and would enforce against anyone else. Harvard let anti-Israeli demonstrators occupy its libraries. Harvard allowed an anti-Israeli encampment to persist for twenty days in violation of university policy even though

¹ This lawsuit addresses Title VI non-compliance through Harvard's intentional discriminatory conduct against Jews or Israelis or Harvard's actual knowledge of, and deliberate indifference to, discrimination, harassment, or hostile environment against Jews or Israelis; this lawsuit does not involve racial preferences in admissions. Harvard separately has interfered with the United States' efforts to evaluate its Title VI compliance with regards to ongoing racial preferences in its admissions policies. *See United States of America v. President and Fellows of Harvard College*, No. 1:26-cv-10844 (D. Mass.) (filed Feb. 13, 2026). Racial preferences in admissions are not an issue in this action. This complaint references numerous materials in footnotes. These references are for convenience; the United States does not allege the entirety of these materials. These references do not incorporate any materials into the complaint.

President Alan Garber simultaneously acknowledged the agitators’ “indefensible and unacceptable” behavior.² Instructors canceled class or excused students from class to join illicit demonstrations. Harvard fostered and continues to foster a campus climate where hostile antisemitism and anti-Israeli conduct thrive.

Harvard was and remains deliberately indifferent to what its own Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias deemed the “exclusion of Israeli or Zionist students from social spaces and extracurricular activities.”³ Harvard failed to enforce its rules or meaningfully discipline the mobs that occupy its buildings and terrorize its Jewish and Israeli students. Harvard instead rewarded students who assaulted, harassed, or intimidated their Jewish and Israeli peers.

Whenever Harvard accepts a grant from the United States, or seeks to draw funds, it certifies compliance with Title VI of the Civil Rights Act of 1964. Title VI prohibits race and national-origin discrimination in federally funded programs and activities. Since October 7, 2023, Harvard has received more than \$3,300,000,000.00 of taxpayer dollars through federal grants from the Department of Health and Human Services alone (to say nothing of other agencies) and is set to receive more money under active and future federal grants. Yet Harvard defied federal law and violated Title VI repeatedly by discriminating against Jewish and Israeli students without atonement.

Harvard failed to protect its Jewish and Israeli students in at least three ways. Harvard fostered a hostile environment for Jewish and Israeli students on its campus. Moreover, Harvard

² Alan Garber, Harvard University Office of the President, *Encampment in Harvard Yard* (May 6, 2024) <https://www.harvard.edu/president/news/2024/encampment-in-harvard-yard/>.

³ Harvard University Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias, *Final Report*, 10 (2025) <https://www.harvard.edu/wp-content/uploads/2025/04/FINAL-Harvard-ASAIB-Report-4.29.25.pdf> (“Task Force Report”).

remained deliberately indifferent to a level of hostility on its campus so well-known across the nation that members of Congress were writing about it. Harvard also intentionally refused to enforce its campus rules—rules it enforced against others—when the victims were Jews or Israelis. This sent the clear message to Harvard’s Jewish and Israeli community that the indifference was not an accident; they were being intentionally excluded and effectively denied equal access to educational opportunities. The United States cannot and will not tolerate these failures and brings this action to compel Harvard to comply with Title VI, and to recover billions of dollars of taxpayer subsidies awarded to a discriminatory institution.

PARTIES

1. Plaintiff is the United States of America (“United States”). Combating antisemitism in American schools, colleges, and universities is, and has long been, a top priority of the United States.⁴ As such, the United States Department of Justice (“Department”) is coordinating investigations, lawsuits, and settlements related to allegations of unlawful antisemitism across numerous schools, colleges, and universities, in addition to the present case.⁵

2. Defendant President and Fellows of Harvard College (also known as Harvard Corporation, and herein “Harvard”) is the legal entity encompassing Harvard University, a private

⁴ See Exec. Order No. 14188, 90 F.R. 8847 (Jan. 29, 2025) (<https://www.federalregister.gov/documents/2025/02/03/2025-02230/additional-measures-to-combat-anti-semitism>); Exec. Order No. 13899, 84 F.R. 68779 (Dec. 11, 2019) (<https://www.federalregister.gov/documents/2019/12/16/2019-27217/combating-anti-semitism>).

⁵ The following list is a subset of the Department’s publicly announced antisemitism investigations, settlements, and lawsuits: UCLA Title VI (<https://www.justice.gov/opa/pr/justice-department-sues-university-california-antisemitic-hostile-educational-environment>); UCLA Title VII (<https://www.justice.gov/opa/pr/us-justice-department-launches-investigation-university-california-under-title-vii-civil>); Columbia University (<https://president.columbia.edu/sites/president.columbia.edu/files/content/July%202025%20Announcement/Columbia%20University%20Resolution%20Agreement.pdf>); Northwestern University (<https://www.justice.gov/opa/pr/united-states-announces-agreement-northwestern-university>); George Mason University (<https://www.justice.gov/opa/pr/justice-department-launches-second-investigation-george-mason-university>); University of Virginia (<https://www.justice.gov/opa/pr/justice-department-announces-agreement-university-virginia-0>); Concord-Carlisle, Massachusetts School District (<https://www.justice.gov/opa/pr/justice-department-announces-settlement-combat-antisemitism-massachusetts-school-district>).

university in Massachusetts, and its governing board.

3. Harvard receives financial assistance from several federal agencies, including the Department of Health and Human Services (“HHS”). All payments of federal financial aid to Harvard are conditioned upon Harvard’s concomitant contractual assurances that it is, and will remain, in compliance with federal law, including the nondiscrimination provisions of Title VI, for the period during which financial assistance is extended.

4. Harvard is a “program or activity” within the meaning of Title VI because it is “a college, university, or other postsecondary institution.” 42 U.S.C. § 2000d-4a(2)(A).

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1345.

6. Venue is proper pursuant to 28 U.S.C. § 1391(b). Defendant is located in the District of Massachusetts, and a substantial portion of the events and omissions giving rise to the United States’ claims occurred in this district.

7. Title VI states that “[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” 42 U.S.C. § 2000d. If the Secretary of HHS or delegate determines that compliance with Title VI by a recipient of Federal financial assistance cannot be secured by voluntary means, the United States is authorized to compel compliance through judicial enforcement. 42 U.S.C. § 2000d-1; *see also* 45 C.F.R. § 80.8.

8. On February 3, 2025, the United States provided Harvard with written notice that HHS had opened an investigation into Harvard’s response to incidents of antisemitic and anti-Israeli

discrimination.

9. On June 30, 2025, HHS provided Harvard with written notice of HHS's investigatory finding that Harvard's response to incidents of antisemitic and anti-Zionist discrimination, harassment, abuse, and retaliation against students violated its legal obligations under Title VI.⁶ *See* 45 C.F.R. § 80.7(d).

10. After providing Harvard with written notice of its investigative findings, HHS met and conferred with Harvard on July 8, 2025, to attempt to secure Harvard's compliance with Title VI by voluntary means. On July 30, 2025, HHS provided written notice to Harvard of its determination that compliance with Title VI could not be obtained by voluntary means, and that the matter would be referred to the Department of Justice for appropriate proceedings.⁷ HHS, working with the Department of Justice's Civil Rights Division and other federal agencies, continued to negotiate with Harvard over a period of several months until this lawsuit was filed.⁸

11. Service of this lawsuit on March 20, 2026, constitutes additional notice to Harvard of: 1) its failure to comply with Title VI; and 2) the action taken, and requested relief sought, by the United States to effect compliance.

12. More than ten days have expired since Harvard received notice of this action. Additional settlement discussions have been attempted during L.R. 7.1(a)(2) conferrals—most recently on May 15, 2026—to no avail.

⁶ Office for Civil Rights, U.S. Dep't of Health & Hum. Servs., to Alan M. Garber, *Notice of Violation: Harvard University* (OCR Trans. No. DO-25-607541-RV-CRR-Rac) (June 30, 2025) ("HHS Notice") <https://www.hhs.gov/sites/default/files/harvard-title-vi-notice-violation.pdf>.

⁷ *See, e.g.*, Michael C. Bender, Alan Blinder and Micahel S. Schmidt, *Harvard Is Said to Be Open to Spending Up to \$500 Million to Resolve Trump Dispute*, The New York Times (Jul. 28, 2025) (<https://www.nytimes.com/2025/07/28/us/politics/trump-harvard-payment.html>); Dhruv T. Patel and Grace E. Yoon, *HHS Refers Harvard Antisemitism Probe to DOJ, Saying Months of Talks Were 'Fruitless,'* The Harvard Crimson (Aug. 1, 2025) (<https://www.thecrimson.com/article/2025/8/1/hhs-refers-to-doj/>).

⁸ *See, e.g.*, Lex Harvey, *Trump ups demands from Harvard, seeks \$1 billion settlement after months of strained talks*, CNN (Feb. 3, 2026) (<https://www.cnn.com/2026/02/03/us/harvard-university-trump-settlement-hnk>) (reporting that "[Harvard] University administrators have refused any deal that includes cash payment...").

13. Peaceful protests of Israel would not violate Title VI. But the harassment detailed in this Complaint goes far beyond peaceful protest. Demonstrators violated content-neutral time, place, and manner restrictions, and coupled their chants, signage, and other means of disruption with intimidating actions and epithets directed toward specific Jewish and Israeli students because they were Jewish and Israeli. Harvard's deliberate indifference to this harassment violated Title VI.⁹ So did Harvard's selective failure to enforce campus policies against demonstrators working to exclude Jews and Israelis from campus. Indeed, Harvard's response to pervasive antisemitism on its campus was so lax, so misdirected, and so poorly executed so as to be clearly unreasonable under the known circumstances. Not only did Harvard foster a hostile environment for its Jewish and Israeli students, but Harvard also deliberately chose the wrong response to the victimization of its Jewish and Israeli students and remains in ongoing violation of its Title VI obligations.

STATEMENT OF FACTS

I. Jewish and Israeli Students Were Subjected to Severe, Pervasive, and Objectively Offensive Harassment Because of Their Race or National Origin.

14. In the months preceding October 7, 2023, faculty-on-student antisemitism was on the rise at Harvard. During a two-week workshop led by Professor Marshall Ganz at the Harvard Kennedy School during the Spring 2023 semester, Israeli students were targeted by Professor Ganz and his teaching fellows after the students proposed a project involving the subject of "liberal-Jewish democracy" that—per course instructions—reflected the Israeli students' values.

15. The Israeli students were forbidden by Professor Ganz to present their project of choice and were told that associating the word "Jewish" with "democracy" was offensive and purportedly rendered the classroom environment "unsafe" for their Muslim and Arab peers. This was

⁹ While Jews are often defined by their adherence to the religion of Judaism, they are also acknowledged as a race, and Israel acknowledged as a national origin, for purposes of civil-rights law. *See, e.g., Shaare Telifa Congregation v. Cobb*, 481 U.S. 615, 617-18 (1987).

reportedly the first time that Professor Ganz ever forbade a group of students from presenting on their topic of choice. Meanwhile, Professor Ganz's teaching fellows were permitted to lead a class session during the workshop on "Palestinian solidarity" that ended with Professor Ganz and his teaching fellows posing with students donning kaffiyehs for a class photo in support of "Palestinian solidarity."

16. Ultimately, the Israeli students received lower grades than their Arab and Muslim peers and elected not to pursue the next course session because of the anti-Israeli hostility they received from Harvard Kennedy School faculty. An independent investigation commissioned by Harvard Kennedy School following the Israeli students' complaints of discrimination concluded that Professor Ganz violated the Harvard Kennedy School Statement of Rights and Responsibilities and the University-Wide Statement on Rights and Responsibilities by discriminating against them on the basis of their Israeli national origin and Jewish ethnicity while providing preferential treatment to Arab and Muslim students whom Professor Ganz deemed as "oppressed" by Israel.

17. Less than two weeks before October 7, 2023, rather than receiving any meaningful discipline, Professor Ganz was praised by Harvard's official press outlet, where Harvard staff lauded his career of scholarship and political activism.¹⁰

18. On October 7, 2023, the designated foreign terrorist organization Hamas invaded the State of Israel and massacred approximately 1,200 people, including forty-six Americans. Hamas took two hundred fifty-four hostages, including twelve Americans.¹¹ Most of the victims were unarmed civilians. Hamas terrorists also raped both men and women. Some Hamas terrorists even

¹⁰ Christina Pazzanese, *What is compelling to do right now?*, The Harvard Gazette (Sept. 26, 2023) <https://news.harvard.edu/gazette/story/2023/09/how-marshall-ganz-found-his-calling-as-activist-scholar-mentor/>.

¹¹ Secretary of State Marco Rubio, *Two-Year Anniversary of October 7th Attack* (Oct. 7, 2025) <https://www.state.gov/releases/office-of-the-spokesperson/2025/10/two-year-anniversary-of-october-7th-attack>.

cut open a woman's womb and stabbed her unborn baby. Some victims were decapitated.¹² The October 7 terrorist attacks were the deadliest day for the Jewish people since the Holocaust. These are representative of what is meant by "Intifada."¹³

19. The Hamas attack triggered a wave of antisemitism and anti-Israeli sentiment across American college campuses, including at Harvard.

20. Many people condemned Hamas' October 7 attack, but many Harvard students all-but celebrated it. On October 7, 2023, while heavily armed Hamas terrorists were still loose in Israel, the Harvard Undergraduate Palestine Solidarity Committee released a statement "hold[ing] the Israeli regime entirely responsible for all unfolding violence."¹⁴ This was not about Israel's military response—the Israeli incursion into Gaza did not start until October 27, 2023.



**Joint Statement by Harvard Palestine Solidarity Groups
on the Situation in Palestine:**

We, the undersigned student organizations, hold the Israeli regime entirely responsible for all unfolding violence.

Today's events did not occur in a vacuum. For the last two decades, **millions of Palestinians in Gaza have been forced to live in an open-air prison.**

Israeli officials promise to "open the gates of hell," and the massacres in Gaza have already commenced. Palestinians in Gaza have no shelters for refuge and nowhere to escape. In the coming days, Palestinians will be forced to bear the full brunt of Israel's violence.

tinyurl.com/oct2023palestine



The apartheid regime is the only one to blame.

Israeli violence has structured every aspect of Palestinian existence for 75 years. From systematized land seizures to routine airstrikes, arbitrary detentions to military checkpoints, and enforced family separations to targeted killings, **Palestinians have been forced to live in a state of death, both slow and sudden.**

Today, the Palestinian ordeal enters into uncharted territory. The coming days will require a firm stand against colonial retaliation. We call on the Harvard community to take action **to stop the ongoing annihilation of Palestinians.**

tinyurl.com/oct2023palestine

Thirty-three other student groups signed the letter, agreeing that the "apartheid regime [Israel] was the only one to blame," for Hamas' murders, rapes, and kidnappings.¹⁵

¹² Lucy Williamson, *Israel Gaza: Hamas raped and mutilated women on 7 October*, BBC hears, BBC (Dec. 5, 2023) <https://www.bbc.com/news/world-middle-east-67629181>.

¹³ See ¶ 27, *infra*.

¹⁴ See https://canarymission.org/campaign/Harvard_Support_For_Hamas.

¹⁵ Those student groups are African American Resistance Organization, Bengali Association of Students at Harvard

21. On October 14, students organized a demonstration against Israel on the steps of Widener Library, the main library at Harvard. Some “instructors excused students from class” to join this demonstration and similar demonstrations “that became a frequent occurrence.”¹⁶ For affected students, this replaced neutral educational opportunities (*e.g.*, in-class learning) with an alternative (*e.g.*, attending the demonstrations) that was explicitly hostile to Jewish and Israeli students as such.

22. This Complaint does not allege that Harvard violated or violates Title VI by failing to end peaceful protests that annoy Jewish and Israeli students. Rather, these demonstrations featured outward hostility, harassment, intimidation, and sometimes physical violence directed at Jewish and Israeli students intended to effectively exclude them from these academic spaces and deprive them of equal educational opportunities.¹⁷ Several factors, which occurred at each of the demonstrations described herein, show that these were direct, targeted actions against Jewish and Israeli students on the basis of their race/ethnicity or national origin. These factors include: i) using language that explicitly calls for the extermination of Jewish and Israeli people; ii) identifying Jewish and Israeli people and then directing such speech toward Jewish and Israeli students; iii) targeting Jewish and Israeli students for hostility, harassment, intimidation, and

College, Harvard Act on a Dream, Harvard Arab Medical and Dental Student Association, Harvard Chan Muslim Student Association, Harvard Chan Students for Health Equity and Justice in Palestine, Harvard College Pakistan Student Association, Harvard Divinity School Muslim Association, Harvard Middle Eastern and North African Law Student Association, Harvard Graduate School of Education Islamic Society, Harvard Graduate Students for Palestine, Harvard Islamic Society, Harvard Law School Justice for Palestine, Harvard Divinity School Students for Justice in Palestine, Harvard Jews for Liberation, Harvard Kennedy School Bangladesh Caucus, Harvard Kennedy School Muslim Caucus, Harvard Kennedy School Muslim Women’s Caucus, Harvard Kennedy School Palestine, Caucus, Harvard Muslim Law School Association, Harvard Pakistan Forum, Harvard Prison Divest Coalition, Harvard South Asian Law Students Association, Harvard South Asians for Forward-Thinking Advocacy and Research, Harvard TPS Coalition, Harvard Undergraduate Arab Women’s Collective, Harvard Undergraduate Ghungroo, Harvard Undergraduate Muslim Women’s Medical Alliance, Harvard Undergraduate Nepali Students Association, Harvard Undergraduate Palestine Solidarity Committee, Middle East and North African Graduate School of Design Student Society, Neighbor Program Cambridge, Sikhs and Companions of Harvard Undergraduates, and Society of Arab Students.

¹⁶ Task Force Report at 107-08.

¹⁷ Task Force Report at 11, 18, 27, 248-49.

exclusion.

23. One method by which Jewish and Israeli students were exposed to harassment was that in many cases, demonstrations occurred in classrooms and libraries where students can expect the ability to retreat to a greater measure of relief from protests than they might in a public square.

24. Another method by which Jewish and Israeli students were exposed to harassment was that in many cases the language used referred to the mass killing of Jews. The use of such language, by a large and menacing crowd, directed expressly towards Jewish and Israeli students, particularly intimidated Jewish and Israeli students from the use of such facilities. While non-Jewish and non-Israeli students might be allowed to filter through the demonstration unmolested, Jewish and Israeli students should not be expected to have to try and filter through a crowd calling for their deaths, or the deaths of people with shared racial/ethnic and national origin backgrounds.

25. Chants, such as “from the river to the sea, Palestine will be free,” are not mere political slogans.¹⁸ The phrase “From the River to the Sea[.]” refers to the territory between the Jordan River and the Mediterranean Sea. It includes the entirety of the territory of the State of Israel. In the 1960s and 70s it became the signature phrase of the Palestine Liberation Organization to indicate the replacement of the State of Israel with a State of Palestine extending “from the river to the sea,” including the expulsion of Jews. The phrase soon after became a rallying cry for terrorist groups such as Hamas, the group responsible for the October 7, 2023, terror attack on Israeli civilians. It is a call for the abolition of Israel, the national home for the Jewish people, and a replacement with a different nation, Palestine; it is a call for the abolition of a national origin. Using the phrase to harass and intimidate Jews is antisemitic. Since the founding of Israel, all Middle Eastern nations other than Israel have expelled their Jewish populations. Even though

¹⁸ HHS Notice at A-3.

greater than 20% of the Nation of Israel’s population is comprised of Muslims and Arabs who fully participate in, and hold positions of power across, Israel’s parliamentary democracy, Jews who accidentally wander into Palestinian areas of Israel must be rescued by the military for their safety. This chant is also a call to expose all Jews in the Middle East to this same level of threat.

26. Within weeks following the October 7, 2023, Hamas terrorist attack, demonstrators at Harvard began regularly chanting the original Arabic version of the “from the river to the sea” rallying cry, menacing Jewish and Israeli students with the words: “Min il-mayye lal-mayye, Falastin ‘arabiyye!” The English translation of this phrase is: “[f]rom the water to the water, Palestine will be Arab[,]” which clearly states the true ethnic cleansing rationale behind the chant—the desire to eliminate Jews from Israel’s geographic boundaries and replace them with an Arab population.¹⁹ This language is not intended to promote a nation of Palestine that is “free” in the Western sense, but a nation of Palestine that is *judenrein*, free of Jews.

27. Chants calling to “globalize the intifada,” or otherwise to support an “intifada,” are widely understood as calls for violence against Israel and Jews.²⁰ “Intifada” was the name given to a pair of wars waged by Palestinian groups against Israeli civilians, the second of which, running from 2000 through 2005 involved over a hundred suicide bombers targeting Israeli civilians in cafes, buses, and other public spaces. A call to “globalize” this can only be reasonably understood as a call to conduct similar actions on a broader geographic scale. A call that “intifada revolution” is the “only solution” is also a call to expand violence toward Jews that reminds the

¹⁹ Micha Danzig, *The linguistics behind ‘from the river to the sea,’* Cleveland Jewish News (Nov. 6, 2025) https://www.clevelandjewishnews.com/jns/the-linguistics-behind-from-the-river-to-the-sea/article_9a1f8e0b-2078-55c8-b05b-31756940eb69.html.

²⁰ *Slogan: Globalize the Intifada*, Anti-Defamation League, (Jan. 16, 2024) <https://www.adl.org/resources/backgrounders/slogan-globalize-intifada>.

listener of the Nazis’ “final solution to the Jewish question,” which was gas chambers.²¹

28. The people using these phrases during demonstrations intend them to be understood in the only reasonable manner in which they can be understood: as calls to kill Jews rather than metaphors expressing political opposition to Israel. The inference of antisemitic intent behind the ongoing chanting of these slogans at Harvard was particularly apparent after then-President Gay issued a campus-wide email on or around November 9, 2023, describing such phrases as “from the river to sea” to be “eliminationist” and antisemitic.²² Despite the campus being put on notice that these chants were antisemitic and called for the elimination of Jewish and Israeli people, Harvard allowed them to continue. To a Jewish or Israeli ear, these chants are racial epithets.

29. The intent to exclude Jewish and Israeli people from campus on the part of these demonstrators was further evidenced by messages published on the Harvard student social media platform, SideChat, during this Fall 2023 through Spring 2024 timeframe, where student demonstrators called for Jews and Israelis to “COOK” and mocked students’ physical appearances when perceived to be stereotypically Jewish and/or Israeli. Likewise, during this timeframe, demonstrators defaced posters of Jewish and Israeli hostages, including writing “HEAD STILL ON” on the poster of Israeli infant, Kfir Bibas, who was kidnapped from Israel by Hamas terrorists on October 7, 2023, and ultimately murdered in Gaza.

30. All of these incidents were timely reported by Jewish and Israeli students to Harvard administrative officials.

31. On information and belief, Harvard’s instructors did not excuse students from class to

²¹ Harvard Jewish Alumni Alliance, *The Soil Beneath the Encampments: How Israel and Jews Became the Focus of Hate at Harvard* (May 2024) (“HJAA Audit”) at 18, https://harvardjewishalumni.org/wp-content/uploads/2024/08/Final-HJAA-Report.The_Soil_Beneath_the_Encampments.pdf

²² Miles J. Herszenhorn and Claire Yuan, *Harvard President Gay Announces Antisemitism Training, Condemns Pro-Palestine Phrase ‘From the River to the Sea,’* Harvard Crimson (Nov. 10, 2023) <https://www.thecrimson.com/article/2023/11/10/gay-antisemitism-education-email/>.

join pro-Israel demonstrations or vigils but did so for antisemitic or anti-Israel demonstrations or vigils, when, for example, Professors Clio and Krieger canceled and/or excused students from classes on October 20, 2023, for the walkouts organized by the Harvard Palestine Solidarity Committee (“PSC”) and Harvard Graduate Students for Palestine (“GS4P”). This unequal treatment amplified the reality that the Harvard administration supported the hostile antisemitic, anti-Israeli climate. This amplification was further supported when Harvard, after witnessing violence, harassment, and intimidation against Jewish and Israeli students at earlier events, continued to tolerate these demonstrations regardless of the terror they created for Harvard’s Jewish and Israeli students and despite the activities violating university rules and policies.

32. On October 18, 2023, anti-Israeli students organized a so-called “die-in” in response to a blast at a hospital in Gaza that they incorrectly attributed to Israel.²³ (Palestinian terrorists destroyed a hospital while attempting to launch a rocket at Israel.)²⁴ An Israeli Jewish student attempted to film the blockade and was assaulted by two graduate students, Ibrahim I. Bharmal and Elom K. Tetey-Tamaklo, who were criminally charged.²⁵ The “die-in” violated university policy. A photograph of the incident is below. This assault was reported to Harvard.

²³ Task Force Report at 108.

²⁴ Olivia Gazis, *U.S. intelligence says "catastrophic motor failure" of rocket launched by Palestinian militants caused hospital blast*, CBS News, (Oct. 25, 2023), <https://www.cbsnews.com/news/u-s-intelligence-catastrophic-motor-failure-rocket-launch-palestinian-militants-deadly-hospital-blast-gaza/>.

²⁵ Task Force Report at 108-09.



33. Harvard later awarded Bharmal a \$65,000 fellowship to work as an “Immigrants’ Rights Legal Fellow” at the Counsel on American-Islamic Relations – Los Angeles.²⁶ Bharmal also received free housing as a tutor. Harvard rewarded Tettey-Tamaklo by selecting him for the prestigious position of Class Marshal. These student leaders who assaulted a Jewish student were rewarded by Harvard after entering pre-trial diversion programs following probable cause hearings but before their charges were dismissed.

34. On October 19, 2023, antisemitic and anti-Israeli student groups recruited hundreds of demonstrators to march through campus, invading the Science Center, Harvard Law’s Caspersen Student Center and Wasserstein Hall buildings, the Harvard Kennedy courtyard, and Harvard Square, using noisemakers, drumsticks, buckets, and megaphones to chant “from the river to the sea,” accuse Israel of “genocide,” and demand that Harvard “divest[] from Israeli apartheid that is funding genocide in Gaza.” These activities violated university policy, called for the elimination of Jewish and Israeli people, and disrupted the educational process.

²⁶ <https://ca.cair.com/staff/ibrahim-bharmal/>.

35. This group included people from outside the Harvard community who bypassed card scanners to trespass in the buildings. Such admission violated university policy. Harvard University Police were on hand and did not intervene.

36. The demonstrators disrupted multiple classes and caused enough alarm that Jewish and Israeli students hid or ran away, sometimes covering or removing Jewish symbols. Some students were unable to run away without passing through the demonstrators and remained trapped in campus buildings. During the disruption, demonstrators blockaded Jewish students in a study room. The demonstrations violated university policy and disrupted the educational process, but Harvard took no action to prevent the disruptions or to timely stop the disruptions.

37. When Jewish Harvard students went to report this problem to the law school's campus diversity bureaucrats, they found the Office of Community Engagement, Equity, and Belonging was locked, with the staff themselves hiding from the demonstrators. The staff apologized briefly but did nothing.

38. On or about October 30, 2023, anti-Israeli disruptors began occupying Caspersen Student Center for the remainder of the semester, where they stopped, targeted, and accosted Jewish students, forcing Jewish students to stop using the law school's primary student lounge. The occupation violated university policy, and Jewish students reported these disruptions to Harvard.

39. Also, during this early November 2023 timeframe, Jewish students placed posters, including posters raising awareness of Israeli children who were kidnapped by Hamas, on common area bulletin boards. Demonstrators defaced and tore down these posters in violation of campus policy. When this vandalism was reported to Harvard leadership, nothing was done, and antisemitic vandalism continued unabated.

40. Only after Jewish students asked Harvard administrators for permission to hold a counter-protest in Caspersen Student Center, over two weeks after the anti-Israeli occupation began there, did Harvard Law School's dean issue an email reminding students that shared spaces like Caspersen lounge are restricted to "personal" or "small group" use. This instruction was already in the existing code of conduct. In other words, Harvard administration put forward minimal efforts to remind students of pre-existing common area restrictions only after Jewish and Israeli students sought equal access to the common areas that Harvard deliberately afforded their abusers. Despite the toothless reminder, antisemitic occupiers continued to flout Harvard's common area restrictions.

41. Then, on or around November 16, 2023, when Jewish students reported to Harvard administrators that a "vigil for martyrs" organized by GS4P to praise dead Hamas terrorists and assemble non-Harvard participants to occupy Caspersen lounge in blatant violation of campus policy, rather than disband the illegal event, the Harvard Law School dean of students attended it.

42. Also occurring on or about November 16, 2023, anti-Israeli student protestors occupied University Hall in violation of Harvard policies, demanding that Harvard "create a committee to investigate Islamophobia." The students knew that their occupation was illegal; one of the students gave a speech indicating that they "came here to get fucking arrested." Instead of arresting the students or even timely stopping the occupation in violation of university policy, Harvard fed them. Faculty Dean of Adams House Salmaan Keshavjee "brought them burritos for dinner," and Harvard College Dean Rakesh Khurana gave them candy.²⁷

²⁷ Task Force Report at 110; Cam E. Kettles and Elias J. Schisgall, *University Hall Occupied By Harvard Jews For Palestine, Group Demanding Ceasefire in Israel-Hamas War*, Harvard Crimson (Nov. 17, 2023) <https://www.thecrimson.com/article/2023/11/17/university-hall-occupation-jfp/>.

43. Moreover, during November 2023, student agitators disrupted classes and reportedly chanted, “globalize the intifada.”²⁸ This demonstrates that the disruption of education was motivated by, and included, hostility towards Jewish and Israeli students.

44. On November 29, 2023, the African and African American Resistance Organization (AFRO) disrupted classes, in violation of university policy, by chanting into megaphones, “from the river to the sea, Palestine will be free.”²⁹ Then-Harvard President Claudine Gay previously acknowledged that this phrase “bear[s] specific historical meanings that to a great many people imply the eradication of Jews from Israel and engender both pain and existential fears within our Jewish community.”³⁰ While demonstrators occupied the Harvard Science Center lobby and chanted for the eradication of the Jewish state in violation of the student code of conduct during this mass walk-out event, Jewish students were singled-out, surrounded and intimidated, by the demonstrators.

45. On December 10, 2023, more than 100 Harvard students and affiliates staged a “study-in” at Widener Library, holding signs that read, “No normalcy during genocide. Justice for Palestine.”³¹ These protests violated university rules and prevented many Jewish and Israeli students from entering the building. But Harvard refused to intervene, or let the police intervene, even though Harvard could lawfully stop blockades and punish disruptors who violate content-neutral time, place, and manner restrictions. During this time, Harvard was also advising students to hide or conceal their Jewish or Israeli identities.

46. In January 2024, anti-Israeli student groups “began holding protests on the steps of

²⁸ Task Force Report at 110.

²⁹ HHS Notice at A-3.

³⁰ See n. 22, *supra*.

³¹ Joyce E. Kim, *Harvard Students Hold Silent ‘Study-In’ at Widener Library, Rally at Mass. Hall to Call for End of War in Gaza*, Harvard Crimson (Dec. 12, 2023) <https://www.thecrimson.com/article/2023/12/12/widener-study-in-rally-palestine/>.

Widener Library without formal permission.” Harvard’s Task Force Report concluded that although these demonstrations “seemingly violated Harvard policies” and “disturbed many Jewish students,” Harvard’s “administration and police seemed reluctant to intervene once a demonstration was underway.”³² That position is clearly unreasonable and even more unreasonable given that Harvard also chose not to punish disruptors after the fact for violating the University’s content-neutral time, place, and manner rules when such violations sprang from antisemitism. Instead, Harvard’s interim-president issued a campus-wide email purporting to “clarify” policies that had been in place since 2002—rules that already clearly proscribed the occupation of campus buildings and which, if enforced, would have provided suspensions for students who engaged in such occupations.³³ However, again, Harvard refused to enforce its policies and discipline or suspend students who disrupted educational opportunities when that disruption was targeted at Jewish and Israeli students.

47. On January 21, 2024, a Harvard Financial and Systems employee with full access to student data posted a TikTok video ranting about “break[ing] some eggs or snowflakes to make this omlette [sic]” in reference to his apparent desire to “bring down the Zionist mafia once and for all” Five days later, the same employee followed that post with another TikTok video depicting himself brandishing a plastic machete and accosting Harvard students while among a group of demonstrators holding up signs advocating for the freedom of Hamas terrorists taken captive by the Israeli Defense Forces. These menacing videos posted by Harvard personnel prompted one Jewish student to hire personal security.

48. In late January 2024, in violation of campus policy, posters memorializing Israeli

³² Task Force Report at 112.

³³ Lydialyle Gibson, *Clarifying the Rules of Protest*, Harvard Magazine (Jan 19, 2024) <https://www.harvardmagazine.com/2024/01/harvard-university-announcements-rules-of-protest>.

citizens kidnapped or murdered by Hamas were defaced with graffiti containing vicious anti-Israeli libels, including “ISRAEL DID 9/11.” Jewish students reported this defacement to numerous members of Harvard’s administrative bureaucracy, who did nothing.

49. On-campus antisemitic and anti-Israeli harassment continued throughout the winter of 2024. The Task Force “raised concerns about the potential for anti-Israel sentiment to spill over into hostility towards Jews.”³⁴

50. For instance, on February 12, 2024, nearly 200 students gathered at Widener Library to stage a “die in,” where they blocked access to the library in violation of university rules and demanded that Harvard disclose and divest its financial ties to companies complicit in human rights abuses in Palestine. This event specifically targeted Jewish and Israeli students for exclusion from building access through expressions of hostility toward them as alleged herein. Jewish students timely reported these violations and their exclusion from campus buildings to Harvard administrators, including Dean Frederick, President Garber, and the Office of Equity, Diversity, Inclusion, and Belonging (“OEDIB”), and received no response. Indeed, Harvard did nothing to stop this violation of its content-neutral time, place, and manner restrictions; nor did Harvard punish the agitators afterwards for these violations that were designed to harass and intimidate Jewish and Israeli students and to deny Jewish and Israeli students’ equal access to educational opportunities.

51. Antisemitic defacement of Israeli hostage posters continued into February 2024, when vandals stamped depictions of Israeli citizens kidnapped by Hamas terrorists with red paint. This was done to evoke images of the October 12, 2000, Ramallah lynching, when, during the Second Intifada, Aziz Salha—one of the murderers of two IDF reservists—posed for photographs proudly

³⁴ Task Force Report at 113.

holding out his blood-stained hands.³⁵ These acts of vandalism violated campus conduct codes. During this time, Jewish students lodged complaints of this vandalism to Harvard administrators but were still ignored.

52. By March 2024, in addition to the myriad complaints submitted to Harvard administrators, Jewish students had submitted dozens of complaints of on-campus antisemitism to the Antisemitism Task Force formed by interim President Garber two months prior. When a Harvard Jewish student testified at a bipartisan congressional roundtable event in March that all of the complaints submitted to the Task Force had thus been ignored, the Task Force eventually issued the following response to the student: “[i]t’s important to note that the task force’s charge does not extend to investigating or commenting on specific incidents on or off campus, nor does the task force possess the authority to enforce University policies.”

53. Indeed, the purported Antisemitism Task Force formed by then-interim President Garber was, by its own admission, a façade representative of Harvard’s deliberate failure to respond to the rampant antisemitic abuse suffered and reported by its Jewish and Israeli students.

54. Pro-Palestinian student groups invaded Caspersen Lounge for yet another occupation that flouted Harvard’s content-neutral time, place, and manner rules on March 5, 2024. Harvard Law School *professors*—rather than stopping the event—participated in it. Jewish and Israeli students were unable to use the lounge for its intended purpose as a study area during the occupation.

55. “This period marked a time of heightened anxiety for many Jewish students.”³⁶ This sentiment extended also to Israeli students.³⁷ One Jewish student informed Harvard’s Task Force

³⁵ Jonathan Feldstein, *Caught Red Handed*, Israel365News (Oct. 12, 2025) <https://israel365news.com/413039/caught-red-handed/>.

³⁶ Task Force Report at 114.

³⁷ *Id.* at 11.

that the “barrage of antisemitic hate speech and protests outside of Harvard regulations (e.g. encampment) is nonstop and unrelenting. I feel completely unwelcome and out of place at Harvard now.” Another Jewish student stated, “Literally have been stalked across Harvard Yard by protestors while walking my dog [and] had ‘Heil Hitler’ yelled at me twice I’ve never felt less safe on a campus than I did this past year at Harvard.” Another Jewish student said, “I lost faith that my classmates would treat me and my beliefs and opinions with respect. I felt isolated and threatened by chants that protesters claimed were made with good intent. However, while we broadly condemn microaggressions not for their intention but for their impact, we seem to not care at all about the impact of the chants that echo around campus.”³⁸

56. On April 24, 2024, anti-Israeli student demonstrators “erect[ed] an encampment in front of University Hall in the heart of Harvard Yard.”³⁹

57. The demonstrators illicitly occupying Harvard Yard “followed and verbally harassed” Jewish students attempting to traverse Harvard Yard. Their “disruptive behaviors” included “chanting slogans [and] playing loud music.”⁴⁰ They displayed signs showing or calling for the eradication of Israel, *i.e.*, slaughtering Jews. This was particularly terrifying to Jewish and Israeli students. The encampment violated university rules. Harvard, however, did not timely break up the encampment or meaningfully punish the individuals that acted in violation of university policy.

58. In one instance during the first day of the encampment, while Harvard University Police vigilantly guarded Massachusetts Hall—the building that houses Harvard’s top administrators—from the encampment, they stood by and did nothing while a Jewish teaching

³⁸ *Id.* at 249.

³⁹ *Id.* at 114.

⁴⁰ Task Force Report at 114.

fellow was assaulted by one of the encampment dwellers, further reinforcing to the Jewish and Israeli students who witnessed the event that they were second-class citizens on Harvard's campus.

59. Harvard's failure to enforce its own rules resulted in—indeed, exacerbated—the harassment and intimidation of Harvard's Jewish and Israeli community. For example, a “Jewish faculty member claimed to not feel safe going to Harvard Yard ... because the faculty member was not comfortable being surveilled and targeted as a ‘Zionist’ by protestors using the label to be denigrating and derogatory.” A Jewish student added that the “pervasive use of ... violent language throughout the encampment created a hostile and intimidating environment for ... many ... Jewish first-year students who live in Harvard Yard.”⁴¹

60. Dean of Students Thomas Dunne sent campuswide emails paying lip service to the disruptive nature of the encampment explaining that “erecting structures, tents, and tables without authorization is a violation of rules.” Two days later, Dean Dunne “sent a second statement that the encampment was disruptive and calling for its end and indicated that the College would proceed with disciplining students if it did not end.”⁴²

61. The disruptive encampment did not end.

62. On April 26, 2024, Dean Dunne threatened to (but did not) photograph protestors' IDs and write down their names.⁴³ This also had no effect.

63. Also on April 26, Harvard University Police Department Chief Victor A. Clay sided with the demonstrators who were breaking the rules he was responsible for enforcing. He said that notwithstanding their flagrant defiance of Harvard's time, place, and manner rules (as

⁴¹ HHS Notice at 18 (cleaned up).

⁴² *Id.* at 31.

⁴³ *Id.* at A-8.

explained by Dean Dunne), students had the “right” to “protest peacefully ... and we are going to support that.”⁴⁴

64. The encampment dragged into May. On May 6, 2024, President Garber finally broke his silence and threatened to place protestors on “involuntary leave.” He acknowledged that the encampment “present[ed] a significant risk to the educational environment of the University.” Anti-Israeli protestors “disrupted [Harvard’s] educational activities and operations,” and students’ “ability to sleep, study, and move freely about the campus.” He also admitted that the encampment posed “safety concerns,” in large part because anti-Israeli protestors “intimidated and harassed other members of our community.”⁴⁵ These “other members” were Jewish and Israeli students, targeted as such.

65. During this timeframe, demonstrators also frequently employed vicious antisemitic tropes when, for example, occupiers displayed a banner over the Harvard Yard encampment in May 2024 depicting Harvard’s then-interim president Alan Garber—a Jewish man—as a devil with horns and a tail, recalling “medieval antisemitic tropes of Jews as Satan’s minions.”

66. By May 14, 2024, approximately three weeks after the encampment was erected, President Garber “negotiated a private deal with protestors from Harvard Out of Occupied Palestine (“HOOP”) to end the encampment by agreeing to reinstate at least 22 students from involuntary leaves of absence and offering protestors a meeting with members of the University’s governing boards about divestment.”⁴⁶ This reversed what little discipline had been imposed to date. The lesson was clear: if demonstrators occupy campus property in violation of Harvard’s

⁴⁴ Sally E. Edwards and Asher J. Montgomery, *HUPD Chief Says Harvard Yard Encampment Peaceful, Defends Students’ Right to Protest*, *Harvard Crimson* (Apr. 27, 2024)

<https://www.thecrimson.com/article/2024/4/27/harvard-police-chief-encampment-peaceful/>.

⁴⁵ United States House of Representatives Committee on Education and the Workforce, *Harvard University Failed to Discipline Antisemitic Conduct Violations* (“House Discipline Report”) at 1-2

https://edworkforce.house.gov/uploadedfiles/9.23.2024_harvard_disciplinary_final.pdf.

⁴⁶ HHS Notice at A-11.

time, place, and manner restrictions long enough, they will face no meaningful consequences and be rewarded with privileged access to Harvard’s leadership—at least if the violation intimidated and harassed Jewish and Israeli students or was designed to deny Jewish and Israeli students equal access to educational opportunities.

67. On September 21, 2024, the Palestine Solidarity Committee held an “emergency study-in” and occupied Widener Library. Harvard administrators had advance knowledge of the “study-in” and even warned the Committee that the “study-in” violated Harvard policies, but Harvard took no measures to prevent the “study-in.”⁴⁷ Nor did Harvard meaningfully punish any of the participants of the “study-in.”

68. On October 8, 2024, an individual smashed the ground-floor windows to University Hall and covered the John Harvard statue in red paint “as an ‘act of solidarity with the Palestinian resistance,’” according to a video posted on social media.

69. On October 15, 2024, multiple antisemitic stickers of swastikas were discovered around Harvard Square. The stickers were reported to police after they were discovered near Harvard Hillel, the University’s largest Jewish center. The antisemitic stickers portrayed the flag of Israel with a swastika instead of the Star of David. The swastika stickers, which were posted on both city and Harvard property, also contained the text: “Stop Funding Israeli Terrorism.”

70. On October 16, 2024, over one year after the terrorist attack on the State of Israel, Harvard *professors*, again, participated in a similar anti-Israeli “study-in” in Widener Library. The professors’ conduct violated Harvard rules.⁴⁸ On information and belief, no action was taken by Harvard.

⁴⁷ Michelle N. Amponsah and Samuel A. Church, *Harvard Warns of Consequences After Pro-Palestine ‘Study-In’ in Widener Library* (Sept. 23, 2024) <https://www.thecrimson.com/article/2024/9/23/widener-library-harvard-palestine-protest/>.

⁴⁸ HHS Notice at 15.

71. On October 17, 2024, over one hundred law students held a “study-in” in the Law School’s library in violation of Harvard’s rules. Like the other study-ins, this created a hostile environment by combining flagrant violations of Harvard’s rules, intimidation and heckling directed at Jewish and Israeli students, and posters depicting anti-Israeli Hamas propaganda.⁴⁹

72. On October 24, 2024, University librarian Martha Whitehead published an essay describing the disruptive nature of these occupations. She stated, “In the study-ins in our spaces, we heard from students who saw them publicized and chose not to come to the library. During the events, large numbers of people filed in at once, and several moved around the room taking photos or filming.”⁵⁰

73. On October 30, 2024, 70 student demonstrators held a three-hour “study-in” in Widener Library, in violation of Harvard’s rules.⁵¹ Harvard did not timely stop the “study-in.” Nor did Harvard punish the students in any meaningful way.

74. On November 4, 2024, graduate students held a “pray-in” occupation of Harvard Divinity School’s library in violation of Harvard rules. Administrators and security guards photographed the students’ identification cards but did not remove them from the library.⁵²

75. On November 12, 2024, law students engaged in a similar “study-in” in the law school’s library, in violation of Harvard rules. During this occupation, administrators failed to take even the nominal step of photographing the students’ identification cards. This occupation was at least the twelfth antisemitic direct action intended to thwart Jewish and Israeli students’

⁴⁹ *Id.*

⁵⁰ *Id.* at A-18.

⁵¹ Michelle N. Amponsah and Joyce E. Kim, *Pro-Palestinian Students Banned From Widener Library for 2 Weeks After ‘Study-In’ Protest*, Harvard Crimson (Oct. 3, 2024) <https://www.thecrimson.com/article/2024/10/3/students-suspended-library-palestine-protest/>.

⁵² HHS Notice at 15; *see also* Rachael A. Dziaba and Aisatu J. Nakoulima, *Students Stage Pro-Palestine ‘Pray-In’ Protest at Harvard Divinity School Library*, Harvard Crimson (Nov. 5, 2024) <https://www.thecrimson.com/article/2024/11/5/harvard-divinity-school-palestine-pray-in/>.

access to campus libraries.⁵³

76. This onslaught of illicit campus library occupations by antisemitic, anti-Israeli demonstrators continued well over a year after the October 7, 2023, Hamas terror attack, despite clear Harvard policy proscribing such conduct, because Harvard deliberately took no meaningful action against the occupiers.

77. This flood of campus facility takeovers created a hostile environment for Jewish and Israeli students by replacing the typical calm and quiet atmosphere of the library with large groups of people hostile to, and intimidating toward, Jewish and Israeli students who wanted to access the library.

78. On March 3, 2025, a Harvard employee tore down posters depicting the faces of Israeli hostages that were on display on Harvard Chabad kiosks in Harvard yard.

79. On March 6, 2025, protestors held a rally outside an event featuring former Israeli Prime Minister Naftali Bennett. Despite a warning that “demonstrators may be subject to disciplinary action” for violating university rules, agitators from this protest breached barricades in violation of university rules. There was no response by Harvard.⁵⁴

80. On March 27, 2025, over 60 masked students gathered on the steps of Widener Library in violation of university rules to stage a “die-in” against the State of Israel. The group chanted “we will honor all our martyrs,” referring to Hamas terrorists killed by the Israeli Defense Forces after the October 7, 2023, Hamas terrorist attack.⁵⁵ This masked group, cheering for terrorists and signaling their support for eradicating Jews and Israelis, menaced Jewish and Israeli students. There was no response by Harvard.

⁵³ HHS Notice at 15.

⁵⁴ HHS Notice at A-20-21.

⁵⁵ Samuel A. Church and Cam N. Srivastava, *HOOP Holds ‘Die-In’ Outside Widener To Protest War in Gaza*, Harvard Crimson (Mar. 28, 2025) <https://www.thecrimson.com/article/2025/3/28/hoop-protest-march/>.

81. This conduct would have been unthinkable if directed at any other racial, ethnic, or national group. But the tacit and explicit support for antisemitism on display from Harvard faculty and staff, and the lack of meaningful discipline for rule violators with an anti-Israeli agenda, allowed Harvard's climate of antisemitism to grow to the point where the hostility resulted in Jewish and Israeli students being excluded from Harvard's federally funded educational program on the ground of national origin, race, or ethnicity.

II. Jewish and Israeli Students Were Excluded from Participation in and Denied the Benefits of a Harvard Education Because of Their Race, Ethnicity, or National Origin.

82. As set forth above, anti-Israeli demonstrators routinely violated Harvard's rules, including its content-neutral time, place, and manner restrictions. The demonstrators did not confine themselves to allowable spaces and reasonable volume. They blocked access to school facilities and impeded travel across school property. When approached by students and faculty who appeared to be Jewish or Israeli, they channeled their anger about Israeli government action into harassment, intimidation, and violence toward Jewish and Israeli students on the basis of their ethnicity or connection to the Nation of Israel.

83. Harvard's Task Force found that Jews and Israelis were subjected to widespread harassment and discrimination by peers, professors, and administrators: "[t]he situation of Israeli students at Harvard has been dire. They have frequently been subject to derision and social exclusion."⁵⁶

84. Yet Harvard failed to take material steps to address the severe and pervasive harassment of, and discrimination against, Jewish and Israeli students. As a result of Harvard's

⁵⁶ Task Force Report at 202.

inaction and deliberate indifference to this invidious conduct, “[m]any Jewish students felt doubly traumatized—first by the massacre of Israelis on October 7th and subsequently by the rapid transformation of the Harvard campus, especially after Israel’s military response to the massacre, into what appeared to be a space for the unfettered expression of pro-Palestinian solidarity and rage at Israel—a rage that many Jewish and especially Israeli students felt was directed against them as well.”⁵⁷ They felt this way because it was directed at them.

85. Indeed, because of the hostile campus environment, “substantial numbers of Jewish students indicated experiencing discomfort and alienation at Harvard: 39% did not feel at home at the University, at least to some extent, while 26% felt physically unsafe and 44% felt mentally unsafe. Nearly half (49%) felt their well-being was not supported at Harvard, and 46% felt uncomfortable expressing their beliefs or opinions to people whose political views may be in conflict with [theirs] and/or go against [their] sense of identity/nationality ... 67% of Jewish students reported feeling discomfort expressing their opinions generally, with a significant 73% uncomfortable expressing their political opinions specifically. Almost 60% of Jewish students indicated they had experienced some form of discrimination, stereotyping, or negative bias on campus due to their views on current events, and only a quarter believed there was no academic or professional penalty at Harvard for expressing their views.”⁵⁸

86. Much, but not all, of the problem was student-on-student harassment. “In student politics, Jews are objects of suspicion, who some students and instructors view as presumptively holding ‘bad views,’ and the response of some students is to choose not to engage with them as fellow humans or Harvard community members. These experiences appear to be widespread, with reports emerging from students in Harvard College, Harvard Law School, Harvard Graduate

⁵⁷ *Id.* at 110.

⁵⁸ Task Force Report at 120-21 (cleaned up).

School of Education, Harvard Divinity School, Harvard T.H. Chan School of Public Health, Harvard Kenneth C. Griffin Graduate School of Arts and Sciences, and Harvard Medical School. Israeli students, both Jewish and non-Jewish, encountered a more severe version of the same problem since their Israeli identity is often very obvious to their fellow Harvard community members.”⁵⁹

87. Jewish and Israeli students were “spit on in the face for wearing a yarmulke, stalked on campus, and jeered by peers with calls of ‘Heil Hitler’ while waiting for campus transportation ... result[ing] in Jewish and Israeli students constantly fearing for their physical safety.”⁶⁰ This conduct was widespread and committed by numerous individuals throughout the time from October 2023 to the present, was timely reported to Harvard administrators, and Harvard took no meaningful action to quell this antisemitic violence and vitriol.

88. As a measure of the campus climate toward Jews, calls to “gas all the Jews” and “let em cook”—in reference to Nazi gas chambers—received upvotes on Sidechat, a social-media platform limited to students with Harvard email addresses.⁶¹

89. One student explained that, after October 7, 2023, being Jewish on Harvard’s campus came with “pressure,” “chaos,” and “hostility,” where Jewish students were welcome in certain places only if they aligned with protestors’ values (*i.e.*, rejecting Israel), but denied access to Harvard spaces otherwise.⁶² Israel holds deep meaning for Jews and Israelis—asking any student to reject a piece of their racial or national identity for access to campus resources constitutes racial or national origin-based exclusion.

90. A Jewish student reported that a mezuzah was stolen from her dormitory door. The

⁵⁹ *Id.* at 140.

⁶⁰ HHS Notice at 4.

⁶¹ HHS Notice at 5.

⁶² Task Force Report at 123.

police investigated the theft as a “bias crime” and recovered the mezuzah from a different student’s dormitory. No known arrest or discipline occurred.⁶³

91. “The bullying and attempts to intimidate Jewish students were in some places successful.” At least one “Jewish student took a leave of absence after the chants from the protests shattered their sense of safety, and others with a wide range of opinions on Israel reported they largely withdrew from campus life.”⁶⁴ As set forth above, the effect of these racist chants on Jews and Israelis was increased because the demonstrators were allowed to violate campus policies with impunity.

92. This extended period of harassment permitted by Harvard explains why a “substantial number of Jewish students reported experiencing a more hostile campus atmosphere in the aftermath of October 7th. This shift in climate was felt particularly in residences, classrooms, student organizations, and communal spaces like Harvard Yard and the Science Center Plaza. Israeli students reported feeling particularly targeted and ostracized, frequently experiencing social shunning.”⁶⁵ This feeling was because they were targeted and ostracized.

93. “Fear of encountering hostility led some Jewish students, according to their own accounts, to conceal their Jewish identity from classmates.”⁶⁶ “Orthodox Jewish students felt that their personal safety was jeopardized by visible signifiers of their identity like a kippa (yarmulke).” One Jewish student explained, “my fiancé who wears a kippah was walking on campus on October 9th, and someone who my fiancé believed to be another student came up to him and spit in his face ... he and pretty much all the other [orthodox] guys on campus have

⁶³ HHS Notice at A-15.

⁶⁴ Task Force Report at 11.

⁶⁵ Task Force Report at 121.

⁶⁶ *Id.* at 122.

started wearing baseball caps.”⁶⁷ Another student reported that after October 7, things became “so much harder for the students who are visibly Jewish. I have a friend who wears a kippah who was physically cornered by a group of students demanding he denounce the so-called genocide.”⁶⁸ Another Jewish student reported that “the students at the encampment refused to speak to me because, as one said, ‘I’m a Palestinian-hating Zionist.’ Maybe it was the fact that I wear a kippah that led them to believe that?”⁶⁹

94. Jewish students reported that October 7 and its aftermath “profoundly affect[ed] their life at Harvard” and “seeped into all areas of campus life.”⁷⁰

95. “Numerous Jewish students, many of whom expressed a deep connection to Israel, spoke of feeling lumped together and collectively blamed for the situation of the Palestinians. They noted that students with analogous ties to other countries engaged in wars and conflicts are not typically prejudged in this way.”⁷¹ A student noted, “Israelis are the only people where their nationality is held against them. Doesn’t happen to my friend who is Russian,” following Russia’s invasion of Ukraine.⁷²

96. Other Jewish students faced threats to their physical safety. When law students “brought the families of hostages to campus[,] ... the administration moved [them] for [their] safety.” A law student noted that antisemitic and anti-Israeli students “walk around like they own the place.” Another law student noted that “there are about 10-20 people who consistently break the rules. They are at the tops of their [student] organizations. They dictate norms. Everyone goes along.” A staff member at the Law School added that “difficulties arise with the protests and

⁶⁷ HHS Notice at A-4 (cleaned up).

⁶⁸ HJAA Audit at 5.

⁶⁹ Task Force Report at 246.

⁷⁰ *Id.* at 123.

⁷¹ Task Force Report at 124.

⁷² HJAA Audit at 18.

where they're taking place. Because of their Jewish identity they've been singled out when activities are taking place and people assume things don't align with their beliefs.”⁷³

97. At Harvard Medical School, “a lot of the current students made it clear they wanted to send a message to visiting [admitted] students to discourage Zionist students from coming here.” The administration took “a long time” to respond to demonstrations like those described herein during Admitted Students Week, and it “took students complaining to get action. The overall message is—if you are a Jewish student with Israeli connections, you don't have a place here ... few Jewish students feel comfortable at the Med School.”⁷⁴ Indeed, the explicit goal of antisemitic and anti-Israeli action during Admitted Students Week was to exclude Jewish and Israeli students, on that basis, from campus for the next year.

98. One Israeli student attended a friend's presentation to her Middle Eastern Studies class. Other students not enrolled in the class were present to watch their friends. But the professor stopped the lecture and asked the student, “Where are you from?” [The student] said, ‘Israel.’ He looked at me and said, ‘I need to ask you to leave the class.’” The student later explained, “People are uncomfortable because I am from Israel. This means that he had to ask only me to leave a class where others were also there to listen to their friends....” That student filed a complaint with Dean Khurana (the same dean who gave candy to the protestors occupying University Hall), who did not follow up.⁷⁵

99. Harvard's professors were also complicit in creating a hostile educational environment for Jews and Israelis. Harvard's Task Force received “disturbing reports that faculty members and teaching fellows discriminate against or harass students because they are Israeli or have pro-Israel

⁷³ Task Force Report at 126.

⁷⁴ *Id.*

⁷⁵ HJAA Audit at 12, 38.

views.”⁷⁶

100. Professors and teaching fellows determined that the proper use of instructional time was to promote the hordes of antisemitic or anti-Israeli protestors that were terrorizing Harvard. Several examples follow.

101. A teaching fellow reportedly “canceled class to go protest with the Palestinian Solidarity Committee.”⁷⁷ Harvard never disciplined the teaching fellow.

102. When anti-Israeli protestors disrupted a large economics class with megaphones, the professor invited his students to leave in support of the protestors: “If anyone feels that they need to leave, this class is being recorded.”⁷⁸ Harvard never disciplined the professor or the protestors.

103. Students complained to Harvard’s Task Force that professors surrendered valuable instruction time to promote the Palestine Solidarity Committee, or “ended class early on the day of a protest, which seemed like an encouragement to join the protest.”⁷⁹ Harvard never disciplined the professors or admonished the decisions.

104. Another Jewish student “stopped attending Arabic language classes because they didn’t feel safe” after “Harvard Faculty and Staff for Justice in Palestine posted an antisemitic cartoon on Instagram.”⁸⁰

III. Harvard Had Actual Knowledge of and Was Deliberately Indifferent to the Harassment and Exclusion of Jewish and Israeli Students

A. Harvard Was Well Aware of the Plight of Jewish Students.

105. Harvard knew that Jews and Israelis faced a hostile educational environment before and after Hamas’s October 7 terrorist attack. This was widely reported both inside and outside

⁷⁶ Task Force Report at 202.

⁷⁷ HJAA Audit at 12, 38.

⁷⁸ *Id.*

⁷⁹ Task Force Report at 126-27.

⁸⁰ HHS Notice at 19 (cleaned up).

Harvard.

106. On June 14, 2023, the independent investigation commissioned by Harvard Kennedy School in response to Israeli students' allegations of a hostile educational environment created by Professor Ganz during the Spring 2023 semester published a report finding that Professor Ganz deprived Jewish and Israeli students of the ability to participate in an educational program on the basis of their Israeli national origin and Jewish ethnicity.⁸¹

107. On Friday, October 13, 2023, a group of congressmembers sent a letter to President Gay, criticizing the University's response to the Palestine Solidarity Committee's victim-blaming statement and accusing Harvard of "intentionally fostering an environment that allows rampant and dangerous antisemitism."⁸²

108. On October 16, 2023, the Wexner Foundation, a longtime donor to the Kennedy School, informed Harvard that its Wexner Israel Fellows had been "increasingly marginalized, their voices and views even shouted down." The Foundation explained that it was "stunned and sickened at the dismal failure of Harvard's leadership to take a clear and unequivocal stand against the barbaric murders of innocent Israeli civilians by terrorists." The Foundation terminated its relationship with Harvard.⁸³

109. On November 16, 2023, in response to an occupation of University Hall, "Harvard University Police restricted access to its buildings and tightened security in the surrounding area in anticipation of planned protests."⁸⁴

110. On December 5, 2023, President Gay testified about antisemitism at Harvard before

⁸¹ Allyson Kurker, *Investigation Report: Preliminary Findings and Preliminary Recommendations*, 21 (June 14, 2023) (<https://brandeiscenter.com/wp-content/uploads/2023/10/Harvard-Kennedy-inspector-report.pdf>).

⁸² <https://files.constantcontact.com/81b76c35801/fbaf71f8-04d6-48b3-8db9-0cb639a0d95a.pdf?rdr=true>

⁸³ <https://www.wexnerfoundation.org/letter-to-harvard/>

⁸⁴ HHS Notice at 20.

the House of Representatives Committee on Education and the Workforce. When asked by Representative Elise Stefanik whether a call “for the genocide of Jews violate[s] Harvard’s rules of bullying and harassment,” President Gay answered, “It can be, depending on the context.”⁸⁵ While President Gay publicly expressed contrition for her poor choice of words, in a private meeting with Harvard’s governing board, she condemned Representative Stefanik as a “purveyor of hate” and “supporter of proudboys.”⁸⁶ This hostility toward Rep. Stefanik for giving President Gay the platform necessary to embarrass herself and Harvard demonstrates that Harvard as an institution views the problem as being called out, not being hostile to Israeli and Jewish students. This shows Harvard’s deliberate indifference.

111. On December 12, 2023, the Harvard Corporation issued a unanimous statement “reaffirm[ing] [its] support for President Gay’s continued leadership of Harvard University.” The statement identified President Gay as “the right leader to help our community heal.”⁸⁷

112. The next day, on December 13, 2023, the House of Representatives passed a bipartisan resolution by a 303-126 vote, “strongly condemn[ing]” President Gay’s disastrous testimony and her “failure to clearly state that calls for the genocide of Jews constitute harassment.” The resolution called on President Gay to resign.⁸⁸

113. After months of fiddling while Harvard burned, President Gay resigned on January 2, 2024. The Harvard Corporation, which had long been silent about the harassment of Jewish and Israeli students at Harvard, portrayed President Gay as the victim and lamented unspecified

⁸⁵ John S. Rosenberg, *A Presidency’s End*, Harvard Magazine (Feb. 7, 2024)

<https://www.harvardmagazine.com/2024/03/clauidine-gay-harvard-presidency-ends>.

⁸⁶ Staff of H. Comm. On Educ. & the Workforce, 118th Cong., *Antisemitism on College Campuses Exposed*, 114 (Comm. Print 2024) (Republican Staff Report)

https://edworkforce.house.gov/uploadedfiles/10.30.24_committee_on_education_and_the_workforce_republican_staff_report_-_antisemitism_on_college_campuses_exposed.pdf.

⁸⁷ <https://www.harvard.edu/2023/12/12/statement-from-the-harvard-corporation-our-president/>.

⁸⁸ H. Res. 927, 118th Cong. (Dec. 13, 2023).

“deeply personal and sustained attacks” on President Gay.”⁸⁹

114. On January 10, 2024, a Jewish student filed a Title VI suit against Harvard.⁹⁰

115. On May 22, 2024, the Louis D. Brandeis Center for Human Rights Under Law and Jewish Americans for Fairness in Education filed a Title VI suit against Harvard.⁹¹

116. Harvard convened its Task Force on or about January 19, 2024, in what President Garber described as a response to increased antisemitism and “[i]ncidents of bias and hate.”⁹²

117. On June 6, 2024, the Task Force issued preliminary findings and warned of “disturbing reports that faculty members and teaching fellows discriminate against or harass students because they are Israeli or have pro-Israel views.”⁹³

118. Repeated occupations of campus facilities by antisemitic, anti-Israeli organizers—shockingly inspired by the worst slaughter of Jewish civilians since the Holocaust—went on for well over a year because Harvard, with full knowledge of these incidents, took virtually no proactive steps (aside from distributing emails purporting to “clarify” already clear campus conduct codes) to prevent them.⁹⁴ Then, after these illicit demonstrations occurred, Harvard failed to punish or meaningfully respond to them.⁹⁵

119. Harvard’s lackadaisical and deficient response set the stage for the twenty-day Harvard Yard occupation.

120. Throughout the events described above, on information and belief, students made reports to, and sent emails to, Harvard’s leadership, including President Garber, without response.

⁸⁹ <https://www.harvard.edu/2024/01/02/statement-from-the-harvard-corporation-president-gay/>

⁹⁰ *Kestenbaum v. President and Fellows of Harv. Coll.*, No. 24-10092 (D. Mass. 2024).

⁹¹ *The Louis D. Brandeis Ctr. for Human Rights Under L. and Jewish Americans for Fairness in Edu. v. President and Fellows of Harv. Coll.*, No. 1:24-cv-11354 (D. Mass. 2024).

⁹² <https://www.harvard.edu/president/news/2024/announcement-of-presidential-task-forces/>.

⁹³ HHS Notice at 19.

⁹⁴ See ¶¶ 14 – 81, *supra*.

⁹⁵ *Id.*

121. Despite Harvard’s actual knowledge of blatant and widespread discrimination against and harassment of Jewish and Israeli students, Harvard failed to take sufficient action and, in fact, acted with deliberate indifference toward the victimized Jewish and Israeli students.

B. Harvard Deliberately Decided Not to Enforce Its Own Rules

122. At all relevant times, Harvard had time, place, and manner rules governing university conduct (including student protests), as well as policies prohibiting discrimination and harassment, including discrimination against Jews and Israelis.

123. The Statement of the President and Deans on University Rights and Responsibilities, issued on January 19, 2024, unequivocally stated that “protests are ordinarily not permitted in classrooms and other spaces of instruction; libraries or other spaces designated for study, quiet reflection, and small group discussion; dormitories, residence halls, or dining halls where students live and take their meals; offices where the work of the University is carried out; or other places in which demonstrations and protests would interfere with the normal activities of the University.” The Statement further explained that Harvard imposes “explicit time, place, and manner limitations relevant to protest and dissent.” Any protests that “interfere[] with freedom of movement, block[] ingress or egress to campus buildings, classrooms, administrative offices, or other spaces [are] forbidden, as is blocking or otherwise interfering with the free flow of vehicular, bicycle, or pedestrian traffic.”⁹⁶ The Statement merely reiterated policy that had clearly been in place at Harvard since 2002.⁹⁷

124. While these policies existed on paper, Harvard made no serious efforts to enforce them in practice, at least for protests against Israel. Although Harvard could have used its police

⁹⁶ <https://provost.harvard.edu/statement-interim-president-deans-harvard-university-rights-and-responsibilities> (quotation marks omitted).

⁹⁷ <https://provost.harvard.edu/university-wide-statement-rights-and-responsibilities>; see also Lydialyle Gibson, *Clarifying the Rules of Protest*, Harvard Magazine (Jan. 19, 2024).

force to disperse the encampment and unauthorized building occupations, it did not. Nor did Harvard impose meaningful consequences on students who violated its policies. And by failing to evenhandedly enforce its ordinary content-neutral time, place, and manner rules, Harvard emboldened student agitators' successful efforts to deny Jewish and Israeli students equal access to educational benefits and resources.

125. Prior to the encampment, Harvard deliberately chose not to discipline any students for the numerous campus disruptions.

126. For example, the students who occupied University Hall and forced a “lockdown,” the cancellation of university-wide events and the closure of Harvard Yard to the public received (in addition to free candy and burritos, *supra* at ¶ 42) only “admonishments,” which are not considered a formal disciplinary action by Harvard.⁹⁸

127. The students who interrupted classes with bullhorns and calls to “globalize the intifada” also received only “admonishments,” even though two of these students also occupied University Hall a few weeks earlier.⁹⁹

128. Harvard allowed the Harvard Undergraduate Palestine Solidarity Committee to remain eligible for Harvard funding for the 2024-25 academic year despite having organized the unlawful encampment through an unofficial proxy group.¹⁰⁰

129. Protestors faced a “complete lack of meaningful consequences” for their role in the encampment.

130. The Harvard Graduate School of Education Committee on Rights and Responsibilities found that five graduate students violated University policies by participating in

⁹⁸ House Discipline Report at 3.

⁹⁹ *Id.*

¹⁰⁰ *Id.*

the encampment. Rather than punishing the graduate students, the Committee praised them and “affirm[ed] the importance of [their] participation in civic activities and encourage[d] [them] to continue engaging in meaningful discourse.”¹⁰¹

131. “At least four other Harvard professional schools failed to impose any meaningful sanctions for conduct violations related to the encampment. Two Harvard Law School students who participated in the encampment received only ‘informal warnings.’ One Harvard Graduate School of Design student received no sanction whatsoever. Two Harvard Divinity School students who participated in the encampment were initially placed on involuntary leave, but then had this involuntary leave rescinded.”¹⁰² Two students were even rewarded.¹⁰³

132. In addition to ignoring its own time, place, and manner rules, Harvard failed to evenhandedly enforce its myriad anti-harassment policies. Those policies included the Harvard University Non-Discrimination Policy, the Harvard University Anti-Bullying Policy, the University-Wide Statement on Rights and Responsibilities, Statement of the President and Deans on University Rights and Responsibilities, the Harvard College Student Handbook, and similar handbooks for Harvard’s graduate schools.

133. The Harvard University Non-Discrimination Policy prohibits discrimination on the basis of race, religion, ancestry, and national origin. It also proscribes “[d]iscriminatory disparate treatment,” *i.e.*, “singling out or targeting an individual for less favorable treatment because of their protected characteristic.”¹⁰⁴

134. The 2023 Harvard University Anti-Bullying Policy defines prohibited bullying as

¹⁰¹ House Discipline Report at 3.

¹⁰² *Id.*

¹⁰³ *Supra*, ¶ 33.

¹⁰⁴ https://provost.harvard.edu/sites/g/files/omnuum12476/files/2025-07/non-discrimination_and_anti-bullying_policies.pdf, at p. 1-2.

“harmful interpersonal aggression by words or actions that humiliate, degrade, demean, intimidate, or threaten an individual or individuals,” if such aggression is “sufficiently severe or pervasive, and objectively offensive, that it creates a work, educational, or living environment that a reasonable person would consider intimidating, hostile, or abusive and denies the individual an equal opportunity to participate in the benefits of the ... institution’s programs and activities.” Bullying includes “derogatory remarks, epithets, or ad hominem attacks,” as well as any “physical, verbal, or written act toward another person, which causes them reasonably to fear for their safety or the safety of others.”¹⁰⁵

135. The University-Wide Statement on Rights and Responsibilities notes that “intense personal harassment of such a character as to amount to grave disrespect for the dignity of others be regarded as an unacceptable violation of the personal rights on which the University is based.”¹⁰⁶

136. The conduct alleged above plainly violates Harvard’s anti-bullying policies and their prohibitions of intimidation and harassment. But as detailed above, Harvard failed to respond, except in the cases of the law student and divinity student who were rewarded for their conduct.¹⁰⁷

137. Harvard’s nonresponse itself violates Harvard’s policies. The University-Wide Statement on Rights and Responsibilities commits Harvard “to give full and fair hearing to reasoned expressions of grievances; and to respond promptly and in good faith to such expressions and to widely expressed needs for change.”¹⁰⁸ Yet Harvard’s Task Force found that “students suffer from a lack of transparency, clarity, and clear process for the submission of complaints of antisemitic or otherwise hostile behavior.” Additionally, the “lack of follow-up after complaints

¹⁰⁵ *Id.* at 12-13.

¹⁰⁶ <https://provost.harvard.edu/university-wide-statement-rights-and-responsibilities>.

¹⁰⁷ *Supra*, at ¶ 33.

¹⁰⁸ <https://provost.harvard.edu/university-wide-statement-rights-and-responsibilities>.

regarding antisemitic expression or behavior causes many members of the Harvard community to doubt that the University is committed to imposing substantive consequences for antisemitic expression or action.”¹⁰⁹

138. Harvard’s failure to enforce its policies violated its contractual obligations to Harvard’s students.

139. Indeed, the antisemitic hostility harbored by Harvard’s administrators towards its Jewish and Israeli student population is evidenced by the administration’s empty restatement and clarification of existing rules—without enforcement or meaningful consequences—following the pervasive anti-Jew and anti-Israeli actions carried out by fellow students, faculty, staff, and Harvard outsiders.

140. Harvard also failed to “establish effective reporting and remediation mechanisms for antisemitism.”¹¹⁰ Harvard’s hotline for reporting threats and harassment was ineffective, where more than 18 months into the campus unrest following the October 7, 2023 Hamas terrorist attack, Harvard failed to establish even the “foundational awareness” regarding which staff could receive complaints of antisemitism and how such complaints should be handled.¹¹¹ Indeed, the repeated complaints of targeted on-campus antisemitism brought by Jewish and Israeli students were completely ignored by Harvard.

141. Harvard has failed to improve its reporting procedures. Even as of May 2025, Harvard indicated that it was still “*in the process* of instituting an Action Plan and training to ensure that all personnel charged with reviewing and evaluating complaints of potential shared ancestry discrimination, whether anonymous or informal, are applying similar standards

¹⁰⁹ Task Force Report at 203.

¹¹⁰ HHS Notice at 23.

¹¹¹ *Id.* at 26.

consistent with the Policies and Procedures.”¹¹² Harvard’s failure is clearly unreasonable.

142. Harvard has touted its publicly announced settlements with private litigants in January 2025 as proof of its purported actions to address antisemitism on its campus. However, like Harvard’s paper tiger task force and its empty attempts to clarify, and failed efforts to enforce, its long-established rules of conduct, Harvard has failed to fulfill its obligations under those settlement agreements. Indeed, Harvard has yet to “prepare a public annual report for the next five years that covers Harvard’s response to discrimination or harassment based on Title VI-protected covers Harvard’s response to discrimination or harassment based on Title VI-protected traits (with a lookback at disciplinary responses to NDAB [Non-Discrimination and Anti-Bullying Policies] complaints based on allegations of anti-Semitism since October 1, 2023).”¹¹³

143. Harvard’s continued defiant lack of transparency in violation of its own settlement agreements is further evidence that complaints of antisemitism are being suppressed by Harvard’s inaction.

144. Unsurprisingly, Jewish student enrollment at Harvard is now at its lowest since the pre-World War II era and remains the lowest among Harvard’s Ivy League peer institutions.¹¹⁴ As such, it is evident that Harvard’s history of deliberate indifference to the discrimination of its Jewish and Israeli students is ongoing and driving those students away from the university.

IV. Harvard Intentionally Discriminated Against Jews and Israelis

145. Harvard states that it “fosters full participation for all by cultivating a culture of mutual respect and belonging.”¹¹⁵ All except Jews and Israelis, that is.

¹¹² HHS Notice at 25.

¹¹³ <https://www.harvard.edu/media-relations/2025/01/21/press-release-settlement-harvard-brandeis-ctr-jafe/>.

¹¹⁴ Harvard Jewish Alumni Alliance, *Jewish Enrollment at Harvard and its Peers 1967-2025, A Narrowing Gate* (March 2026) (https://harvardjewishalumni.org/wp-content/uploads/2026/03/HJAA_full_report_2026_03_15.pdf).

¹¹⁵ <https://ccl.harvard.edu/>.

146. Harvard condemns—and even censors—speech that offends members of other protected classes while taking no action on overt calls for Jewish genocide.

147. For example, in 2017 Harvard rescinded admissions offers to ten students who shared allegedly racist and sexist memes in private Facebook chats.¹¹⁶ In contrast, Harvard did not discipline “groups of pro-Palestinian Harvard students, staff, and faculty” who, in February 2024, circulated an antisemitic cartoon “depicting a white hand with a Jewish star holding a noose around the heads of a Black man (Muhammad Ali) and an Arab man (Gamal Abdel Nasser).”¹¹⁷ Nor did Harvard meaningfully act to rid its campus of any of the people committing the bullying and harassment set forth in this Complaint.

148. Harvard’s legion of “diversity” bureaucrats should have helped create a welcoming environment for Jewish and Israeli students—minorities singled out for abuse. But Harvard’s Task Force found some of Harvard’s offices for Equity, Diversity, Inclusion, and Belonging¹¹⁸ “have not taken antisemitism seriously,” perhaps because the offices “prioritiz[ed] work around race, disability, and sexual and gender identity,” to the exclusion of Jewish and Israeli community members.¹¹⁹ By ignoring the plight Jews and Israelis, who experienced all the hostility alleged in this complaint, Harvard’s diversity bureaucrats failed those on campus that needed their help the most and made a mockery of their own existence.

149. Harvard’s apathy toward the suffering of their Jewish and Israeli students stands in stark contrast to its prior rigorous enforcement of its anti-bullying and harassment policies. To give just a few recent examples:

¹¹⁶ Hannah Natanson, *Harvard Rescinds Acceptances for At Least Ten Students for Obscene Memes*, Harvard Crimson (June 5, 2017) <https://www.thecrimson.com/article/2017/6/5/2021-offers-rescinded-memes/>.

¹¹⁷ Task Force Report at 10.

¹¹⁸ Now the Office for Community and Campus Life.

¹¹⁹ Task Force Report at 27, 146, 207.

- a. In 2020, Harvard students complained that a professor made “racist posts” about black people on a pseudonymous blog. Harvard waived the add/drop fee for students who wanted to transfer out of his class and removed the professor as the “official course head.” Harvard declined to renew the professor’s contract when it expired.¹²⁰ In contrast, and on information and belief, Harvard did not discipline professors and teaching assistants who made similar or worse derogatory remarks about Jews and Israelis in the classroom or help students drop the class.
- b. In 2022, Harvard’s English Department canceled a lecture on British romanticism by a feminist philosopher who allegedly “explicitly denies the possibility of trans identity.”¹²¹ Contrast this with Harvard’s tolerance shown for students chanting phrases explicitly denying Israeli identity.
- c. Harvard Divinity School claims that it “strives for and is committed to a campus community free of identity-based microaggressions” and notes that “our experiences of identity-based microaggressions, bias, harassment, and/or violence also often cut across our identities manifesting in, for example, anti-blackness, racism, sexism, and transphobia operating simultaneously.”¹²² Harvard Divinity School took no meaningful steps to ensure that Jewish and Israeli students were included at Harvard after October 7, despite widespread macroaggressions against them.

¹²⁰ Sarah W. Faber and Paul G. Sullivan, *The Rise and Fall of David Kane*, Harvard Crimson (May 27, 2021), <https://www.thecrimson.com/article/2021/5/27/rise-and-fall-dk/>.

¹²¹ Caroline Downey, Feminist Philosopher Disinvited from Speaking at Harvard over Trans Views, National Review (Apr. 25, 2022), <https://www.nationalreview.com/news/feminist-philosopher-disinvited-from-speaking-at-harvard-over-trans-views/>.

¹²² <https://www.hds.harvard.edu/community-life/student-life/title-ix-and-identity-based-resources>.

- d. On October 10, 2023, a group unaffiliated with Harvard sponsored a billboard truck that drove around Harvard Square, displaying names and photos of students the group viewed as “Harvard’s Leading Antisemites.” “Harvard University Executive Vice President Meredith Weenick ‘90 condemned the doxxing, and out of concern for student safety, University officials closed overnight public access to Harvard Yard.”¹²³ But Harvard did not promptly condemn comparable antisemitic activity, such as the disruption of classes with calls to “globalize the intifada.”¹²⁴ To Harvard, peaceful, protected speech *condemning* perceived antisemites warrants heightened security and a swift response, whereas overtly antisemitic actions, such as intruding into classrooms to disruptively call for Jewish genocide or camping in front of university buildings to bully and intimidate Jewish students while calling for their genocide, may be tolerable “depending on the context.”¹²⁵
- e. When a “gay law school student was assaulted by another law school student[, an] email went out to every student at the law school the same day saying that they were suspending the person.”¹²⁶ But when a Jewish business student was assaulted, Harvard did not announce any suspensions even though the perpetrators faced criminal charges. Instead, Harvard rewarded one of the attackers with a fellowship. *Supra* at ¶ 33.

¹²³ Task Force Report at 106.

¹²⁴ *Slogan: Globalize the Intifada*, Anti-Defamation League, (Jan. 16, 2024)

<https://www.adl.org/resources/backgrounders/slogan-globalize-intifada>

¹²⁵ See n. 76, *supra*.

¹²⁶ HJAA Audit at 8, 38.

f. On April 20, 2024, a Harvard undergraduate student protested an event at the Harvard Kennedy School hosting Chinese ambassador to the United States, Xie Feng.¹²⁷ The Harvard undergraduate spoke out against China's suppression of human rights in Hong Kong and its imperialistic ambitions towards Taiwan for approximately 20 seconds during the event before being assaulted and forcefully dragged out by a Harvard graduate student (and Chinese national) event organizer who was purportedly instructed by event staff to "maintain order."¹²⁸ Harvard placed the undergraduate student who briefly disrupted the event on disciplinary probation while issuing an official apology to the graduate student who assaulted the protestor.¹²⁹ Contrast Harvard's swift action and punishment taken against its own students who criticize Chinese nationals to its inaction and lack of rule enforcement against disruptors who are given free rein to occupy campus buildings, chant eliminationist rhetoric at Jewish and Israeli students, and deface the campus with anti-Israel libels. Further contrast Harvard's swift action against, and punishment of, its students who criticize Chinese nationals to the permission structure Harvard officially sanctioned for the benefit of Hamas sympathizers and critics of Israel, who were explicitly permitted an entire 10 minutes to disrupt a campus event hosting a former member of Hamas who now opposes the terrorist

¹²⁷ Aaron Siberium, *Harvard Punished a Student for Disrupting the Chinese Ambassador. The Chinese National Who Mandhandled Her Was Let Off the Hook*. Washington Free Beacon (Oct. 17, 2024) <https://freebeacon.com/campus/harvard-punished-a-student-for-disrupting-the-chinese-ambassador-the-chinese-national-who-manhandled-her-was-let-off-the-hook/>.

¹²⁸ *Id.*

¹²⁹ *Id.*

group.¹³⁰

150. Despite then-President Claudine Gay’s early acknowledgments following the October 7, 2023, Hamas terror attack upon Jewish and Israeli civilians that the purported “pro-Palestinian” campus demonstrators were, in fact, using phrases advocating for the complete eradication of Jews and Israelis, her later testimony that these vicious chants may rise to the level of a Harvard campus violations “depending on the context” set the stage for Harvard’s toothless non-response to the ongoing relentless antisemitic on-campus discrimination: mostly emails purporting to “clarify” rules.

151. A report from the Harvard Jewish Alumni Alliance noted “[t]he double standard of the Harvard administration is very jarring.”

152. On information and belief, the above-listed examples are only a sample of the many times that Harvard has treated hostility toward other groups as more deserving of discipline or response than hostility toward Jewish and Israeli students.

V. The United States Investigates Harvard’s Title VI Violations and Breach of Funding Assurances

153. Harvard is the recipient of many grants from the federal government. Since October 7, 2023, Harvard Corporation will receive more than \$3.3 billion of taxpayer money under its currently active federal grants from HHS alone.

154. These grants are legally binding contracts between Harvard and HHS.¹³¹ As a material condition of receiving federal financial assistance, Harvard signed contractual assurances representing that all of its programs and activities are, and will be, conducted in compliance with

¹³⁰ David Bernstein, *Harvard Officially Allows Protestors Ten Minutes to Disrupt Events*, The Volokh Conspiracy, Reason (Oct. 10, 2024) <https://reason.com/volokh/2024/10/10/harvard-officially-allows-protestors-ten-minutes-to-disrupt-events/>.

¹³¹ See 45 C.F.R. § 80.4.

all requirements of Title VI and its implementing regulations.¹³²

155. Indeed, Harvard represented, in part, that:

...THE APPLICANT HEREBY AGREES THAT IT WILL COMPLY WITH: 1. Title VI of the Civil Rights Act of 1964, as amended (codified at 42 U.S.C. § 2000d et seq.), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 80), to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin (including limited English proficiency) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department ...

...The Applicant agrees that compliance with this assurance constitutes a material condition of continued receipt of Federal financial assistance, and that it is binding upon the Applicant, its successors, transferees, and assignees for the period during which such assistance is provided...

156. Harvard's contractual assurances obligate it to remain in compliance with Title VI for the entire period for which federal financial assistance is extended.¹³³

157. From October 7, 2023, through the present date, Harvard requested more than 56,000 payments from HHS under various grants and awards, for a total amount in excess of \$1 billion.

158. Numerous payment requests were submitted each month from October 2023 through June 2026. Requests were submitted on May 1, 7, and 14, 2024, during the Harvard Yard occupation.

159. As part of the process of submitting a request, Harvard's agent or assignee certifies as follows:

Declaration and Certification to the U.S. Department of Health & Human Services as to this Payment/Drawdown Request. I declare the following to the U.S. Department of Health & Human Services (HHS), under penalty of perjury: (1) I have authority to make this certification on behalf of the award recipient; (2) I have conducted (or have had conducted for the award recipient) a review of the terms and conditions of this award; all certifications and assurances for this award; and all statutory and regulatory requirements applicable to this award; and (3) I also have conducted (or have had

¹³² See 45 C.F.R. § 80.4(a)(1).

¹³³ *Id.*

*conducted for the award recipient) a review as to all other matters represented in this declaration and certification. On behalf of myself and the award recipient, I certify to HHS, under penalty of perjury, that the following are true: (1) **The award recipient is in compliance with all applicable laws, regulations, certifications, and assurances, including all terms and conditions of the award as to the obligation, expenditure, and drawdown of award funds, and all related statutory and regulatory requirements included in the certifications and assurances for this award;**... and (5) there have been no changes to the award recipient's representations as to eligibility for the award that could affect the recipient's eligibility for continued disbursements under the award. I understand that, in making payment pursuant to this request, HHS will rely upon this declaration and certification to determine whether to disburse funds, and that its accuracy is a condition of payment. I also understand that a false, fictitious, or fraudulent statement in this declaration and certification or otherwise in connection with this payment/drawdown request (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621), and also may subject me and the award recipient to civil and administrative penalties and other remedies, including under the federal False Claims Act (31 U.S.C. §§ 3729-3730), Program Fraud Civil Remedies Act (31 U.S.C. §§ 3801-3812), Civil Monetary Penalties Law (42 U.S.C. § 1320a-7a), or otherwise.*

160. Harvard periodically signs these certificates of assurance of its purported compliance with Title VI through SAM.gov. One such certificate was signed on May 6, 2024, the twelfth day of the encampment, while Harvard was allowing its students and others to publicly menace Jewish and Israeli students on its campus. These certifications explicitly apply to “All Awards” of financial assistance.

161. By continuing to receive federal financial assistance from October 7, 2023, through the present date, Harvard has bound itself to remain in compliance with Title VI for this entire, continually expanding timeframe.

162. Furthermore, because Harvard is an institution of higher education, its Title VI compliance obligations are expanded—not only to the specific program for which federal financial assistance is provided, but more broadly—to the treatment of all students on its campus.¹³⁴ Indeed, “[i]n the case of any application for Federal financial assistance to an

¹³⁴ See 45 C.F.R. § 80.4(d)(1).

institution of higher education (including assistance for construction, for research, for special training project, for student loans or for any other purpose), the assurance required by this section shall extend to admission practices and to all other practices relating to the treatment of students.”¹³⁵

163. On April 7, 2025, HHS commenced an investigation of Harvard’s compliance.¹³⁶

164. On June 30, 2025, HHS issued findings that “Harvard University is in violent violation of Title VI.”¹³⁷ HHS met and conferred with Harvard to attempt voluntary compliance on July 8, 2025.¹³⁸ HHS provided Harvard written notice on July 30, 2025, that its compliance could not be achieved by voluntary means, and that the matter would be referred to the Department of Justice for further proceedings.¹³⁹

165. HHS negotiated with Harvard in good faith to bring Harvard into voluntary compliance with Title VI. HHS, working with the Department and others federal agencies, attempted to negotiate resolution of Harvard’s Title VI violations multiple times since July 2025.¹⁴⁰

166. However, Harvard has breached its material assurances to HHS by intentionally discriminating against, and remaining deliberately indifferent to, the widespread invidious discrimination of Jewish and Israeli students on its campus in violation of Title VI from October 7, 2023, through the present time.

167. The United States brings this action as envisioned by the Guidelines for the

¹³⁵ *Id.*

¹³⁶ <https://www.ed.gov/about/news/press-release/us-departments-of-education-and-health-and-human-services-notify-harvard-universitys-accreditor-of-harvards-title-vi-violation>.

¹³⁷ <https://www.ed.gov/about/news/press-release/task-force-combat-anti-semitism-letter-harvard-university> (emphasis omitted); *see generally* HHS Notice.

¹³⁸ *See* ¶ 10, *supra*.

¹³⁹ *Id.*

¹⁴⁰ *Id.*

enforcement of Title VI, Civil Rights Act of 1964, which provides, in part, that “[c]ompliance with the nondiscrimination mandate of Title VI may often be obtained more promptly by appropriate court action than by [Section 602] hearings and termination of assistance...”¹⁴¹

168. As such, this Article III action is not precluded by the optional extrajudicial remedies available to the United States outlined in Section 602 (42 U.S.C. § 2000d-1) of Title VI.¹⁴²

169. In fact, this action provides Harvard with all of the notice and hearing protections built into the extrajudicial administrative remedies for Title VI non-compliance alternatively available to the United States under Section 602.¹⁴³

170. The service of this lawsuit on March 20, 2026, provided Harvard with additional notice of its failure to comply with Title VI and the remedies sought by the United States to achieve compliance.

171. Additional settlement discussions attempted since the filing of this lawsuit have been unsuccessful.

COUNT I

(Title VI)

172. The United States realleges and incorporates by reference the allegations set forth in the foregoing paragraphs.

173. Title VI of the Civil Rights Act of 1964 provides: “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”¹⁴⁴

¹⁴¹ See 28 C.F.R. § 50.3(c)(I)(B)(1).

¹⁴² See 42 U.S.C. § 2000h-3.

¹⁴³ See 42 U.S.C. § 2000d-1.

¹⁴⁴ 42 U.S.C. § 2000d.

174. Title VI prohibits discrimination against, or harassment of, Jews, especially when based on actual or perceived Israeli origin or ancestry.

175. Under Title VI's implementing regulations, a judicial enforcement action brought by the United States Department of Justice against an institution, like Harvard, that fosters unlawful discrimination against Jewish and Israeli students is an appropriate method for obtaining that institution's compliance with Title VI.¹⁴⁵

176. Indeed, Title VI explicitly permits the United States to effect compliance with Title VI through "...any other means authorized by law."¹⁴⁶

177. No provision within Title VI or its implementing regulations requires that the United States satisfy a "deliberate indifference" standard in order to obtain a non-monetary judicial remedy for a Title VI violation manifested by a federally-funded institution's enabling of a hostile environment against a protected group, like Jewish and Israeli students, on its campus.¹⁴⁷

178. On June 30, 2025, HHS provided Harvard with written notice of HHS's investigatory finding that Harvard's response to incidents of antisemitic and anti-Zionist discrimination, harassment, abuse, and retaliation against students violated its legal obligations under Title VI.

179. On July 8, 2025, HHS met and conferred with Harvard to attempt to secure Harvard's compliance with Title VI by voluntary means.

180. On July 30, 2025, HHS provided written notice to Harvard of its determination that compliance with Title VI could not be obtained by voluntary means, and that the matter would be referred to the Department of Justice for appropriate proceedings.

181. Title VI prohibits discrimination based on race, color, or national origin. This

¹⁴⁵ See 28 C.F.R. § 50.3.

¹⁴⁶ See 42 U.S.C. § 2000d-1.

¹⁴⁷ See, e.g., *Gebser v. Lago Vista Indep. Sch. Dist.*, 524 U.S. 274, 288-89 (1998); *United States v. Marion Cty. Sch. Dist.*, 625 F.2d 607, 611-13 (5th Cir. 1980), *cert denied*, 451 U.S. 910 (1981).

discrimination can be purposeful or can arise from a funding recipient's culpability in the creation of a hostile environment for protected groups on its campus. For Count I, Harvard's invidious discrimination against Jewish and Israeli students was manifested through the fostering and incubation of a hostile campus environment for its Jewish and Israeli students.

182. As set forth above, Jewish and Israeli students at Harvard have been subjected to a hostile environment from Spring 2023 through the present on account of their actual or perceived race, color, or national origin.

183. Indeed, the hostile antisemitic environment effectively denied Jewish and Israeli students at Harvard equal access to the education institution's benefits, resources, and opportunities.

184. As set forth above, Harvard knew, or should have known, of the antisemitic hostile environment that occurred in its programs and activities, yet it failed to take action, or else took actions clearly insufficient in light of the known circumstances.

COUNT II

(Title VI)

185. The United States realleges and incorporates by reference the allegations set forth in the foregoing paragraphs.

186. Title VI of the Civil Rights Act of 1964 provides: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."¹⁴⁸

187. Title VI prohibits discrimination against or harassment of Jews, especially when

¹⁴⁸ 42 U.S.C. § 2000d.

based on actual or perceived Israeli origin or ancestry.

188. Title VI prohibits intentional discrimination based on race, color, or national origin. This discrimination can be purposeful or can arise from a funding recipient's deliberate indifference to discriminatory harassment. For Count II, Harvard's invidious discrimination against Jewish and Israeli students was manifested as deliberate indifference to the repeated and widespread hostile actions of campus agitators against Jewish and Israeli students.

189. As set forth above, Jewish and Israeli students at Harvard have been subjected to severe, pervasive, and objectively offensive harassment and discrimination from Spring 2023 through the present on account of their actual or perceived race, color, or national origin.

190. Indeed, the severe, pervasive, and objectively offensive harassment and discrimination effectively denied Jewish and Israeli students at Harvard equal access to the education institution's benefits, resources, and opportunities.

191. As set forth above, Harvard was aware of the harassment and discrimination that occurred in its programs and activities, yet it deliberately refused to take action, or else took actions clearly insufficient in light of the known circumstances.

COUNT III

(Title VI)

192. The United States realleges and incorporates by reference the allegations set forth in the foregoing paragraphs.

193. Title VI of the Civil Rights Act of 1964 provides: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal

financial assistance.”¹⁴⁹

194. Title VI prohibits intentional discrimination based on race, color, or national origin. This discrimination can be purposeful or can arise from a funding recipient’s deliberate indifference to discriminatory harassment. For Count III, Harvard’s invidious discrimination against Jewish and Israeli students was manifested by its intentional refusal to enforce its rules against discriminatory conduct directed towards Jews and Israelis in contrast to the alacrity by which Harvard enforces its rules against conduct perceived to be discriminatory against groups who are not Jewish or Israeli.

195. This intentional discrimination effectively denied Jewish and Israeli students at Harvard equal access to the education institution’s benefits, resources, and opportunities.

COUNT IV

(Breach of Contract)

196. The United States realleges and incorporates by reference the allegations set forth in the foregoing paragraphs.

197. At all times alleged in this Complaint, Harvard has received grants of Federal funds, including from HHS. These grants are legally binding contracts conditioned upon compliance with Title VI and Harvard’s assurances that it will comply with Title VI throughout the duration of the grants.

198. Harvard has materially breached the terms of the grants by failing to comply with Title VI through direct discrimination against its Jewish and Israeli students. Furthermore, Harvard has fostered, or else remained deliberately indifferent to, the hostile campus environment for Jewish and Israeli students at Harvard.

¹⁴⁹ 42 U.S.C. § 2000d.

199. The United States has fulfilled all obligations owing to date under the grants, or in the alternative, fulfilled all obligations owing until the date of Harvard's breach of the grants.

200. Compliance with Title VI is a material term of the grants.

201. Harvard's failure to comply with Title VI is grounds for the United States to obtain damages, restitution and to rescind grant payments made during the period of noncompliance.

PRAYER FOR RELIEF

WHEREFORE, the United States respectfully requests this Court:

202. Declare that Harvard unlawfully has discriminated against Jewish and Israeli students at Harvard in violation of Title VI via its negligent conduct, its intentional conduct, and its deliberate indifference to discriminatory harassment of Jewish and Israeli students and creation of a hostile educational environment since October 7, 2023, up to the present day, or for some portion of that time;

203. Permanently enjoin Harvard, its officers, agents, employees, successors, assigns, and all persons in active concert or participation with them from unlawful discrimination against and harassment of Jewish and Israeli students, including through intentional conduct and deliberate indifference to known hostile environments;

204. Order Harvard to take affirmative steps to ensure full and equal access to Harvard's educational opportunities and benefits for Jewish and Israeli students, including, but not limited to, requiring:

- a. Enforcement of existing content-neutral time, place, and manner restrictions for discriminatory protests and activities that interfere with access to educational opportunities;
- b. Imposition of meaningful disciplinary consequences on students and faculty

who violate these policies;

c. Implementation of policies that require Harvard to seek help from and cooperate with law enforcement in arresting protestors who unlawfully impede movement through campus and occupy Harvard buildings and outdoor spaces following orders to disperse.

205. Declare that Harvard is in material breach of its contracts and assurances of compliance under Title VI;

206. Declare that, as a result of Harvard's material breach of contract, the United States need not make any additional payments to Harvard otherwise required by existing grants;

207. Rescind and award the United States restitution of all grant payments made to Harvard during the time of Harvard's noncompliance with Title VI;

208. Enjoin Harvard, its officers, agents, employees, successors, assigns, and all persons in active concert or participation with them from entering into federal contracts containing assurances of compliance with Title VI until such time that the Court concludes Harvard is complying with Title VI;

209. Appoint an independent outside monitor, subject to approval and in collaboration with the United States, to oversee and ensure Harvard's full compliance with all injunctive and equitable relief ordered by the Court. The monitor shall be empowered to audit Harvard, make report to the United States and the Court, and recommend corrective actions for such duration and scope as the Court deems just and necessary;

210. Award such other additional relief as justice may require, including but not limited to fees and taxable costs and nominal damages to the maximum extent permitted by applicable law.

Respectfully submitted,

June 8th, 2026

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CERTIFICATE OF SERVICE

I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system, which will distribute copies of the foregoing to the following counsel of record for Defendant on this, the 8th day of June, 2026.

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