

# EXHIBIT 267

**In The Matter Of:**  
*Students for Fair Admissions, Inc. v.*  
*President and Fellows of Harvard College*

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*Sarah C. Donahue*  
*June 6, 2017*  
*Highly Confidential - For Attorneys' Eyes Only*

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1 MS. ELLSWORTH: Objection.

2 A. Sometimes.

3 BY MR. STRAWBRIDGE:

4 Q. Is ethnicity sometimes the subject of  
5 questions or commentary by other members of the  
6 committee?

7 MS. ELLSWORTH: Objection.

8 A. Not usually.

9 BY MR. STRAWBRIDGE:

10 Q. Can you say how often in a given case --  
11 sorry -- how often in a given cycle someone  
12 presenting a candidate for admission might  
13 mention ethnicity?

14 MS. ELLSWORTH: Objection.

15 A. It is hard to say.

16 BY MR. STRAWBRIDGE:

17 Q. Can you give me any quantification at  
18 all? Is it rare?

19 MS. ELLSWORTH: Objection.

20 A. I would say it is not often. The  
21 information is right there.

22 BY MR. STRAWBRIDGE:

23 Q. To what extent does Dean Fitzsimmons  
24 participate in the individual candidate

1 discussions?

2 A. As a member of the committee.

3 Q. Does his view get deference, in your  
4 experience?

5 MS. ELLSWORTH: Objection.

6 A. I think people respect his view.

7 BY MR. STRAWBRIDGE:

8 Q. Been doing this for a long time; right?

9 A. Yes.

10 Q. He is the leader of the office?

11 A. Yes.

12 Q. Perhaps not surprising to think that  
13 people would be inclined to give a lot of weight  
14 to his view, just by those reasons alone?

15 MS. ELLSWORTH: Objection.

16 BY MR. STRAWBRIDGE:

17 Q. Is that correct?

18 A. Yes.

19 Q. Do you recall occasions when his view or  
20 his support for a candidate has not carried the  
21 day?

22 MS. ELLSWORTH: Objection.

23 A. Yes.

24 BY MR. STRAWBRIDGE:

1           Q. Can you give me an example of that, just  
2 off the top of your head?

3           MS. ELLSWORTH: Objection.

4           I will just remind the witness not to  
5 disclose any identifying information about any  
6 students to that extent.

7           MR. STRAWBRIDGE: I don't want the names  
8 of anybody.

9           MS. ELLSWORTH: Or any information that  
10 could make someone identifiable.

11          A. I can't recall the specific cases.

12 BY MR. STRAWBRIDGE:

13          Q. You just know it has happened on  
14 occasion?

15          MS. ELLSWORTH: Objection.

16          A. Yes.

17 BY MR. STRAWBRIDGE:

18          Q. What about Ms. McGrath? Does she  
19 participate in the discussion of the individual  
20 candidates?

21          A. Yes.

22          Q. Do Dean Fitzsimmons and Ms. McGrath take  
23 an interest or participate at any level greater  
24 than the other people in the room?

1 MS. ELLSWORTH: Objection.

2 A. Not particularly.

3 BY MR. STRAWBRIDGE:

4 Q. Does Ms. McGrath's view, like Dean  
5 Fitzsimmons, tend to get considerable respect  
6 from the people in the room?

7 MS. ELLSWORTH: Objection.

8 A. Yes.

9 BY MR. STRAWBRIDGE:

10 Q. People during the committee process -- I  
11 mean do they sometimes get -- do they sometimes  
12 make strong pushes for particular candidates who  
13 they feel strongly about?

14 A. Yes.

15 Q. Can it sometimes be a robust discussion  
16 in terms of trying to make these decisions?

17 MS. ELLSWORTH: Objection.

18 A. Yes.

19 BY MR. STRAWBRIDGE:

20 Q. And does Dean Fitzsimmons sometimes bring  
21 forward people who he thinks that the committee  
22 should consider or take another look at?

23 MS. ELLSWORTH: Objection.

24 A. Not usually.