

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS, INC.,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE (HARVARD
CORPORATION),

Defendant.

Civil Action No. 1:14-cv-14176-ADB

**MOTION FOR ADMISSION *PRO HAC VICE*
OF NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC.**

Pursuant to Local Rule 83.5.3, attorneys Kate R. Cook and Kenneth N. Thayer, members in good standing of the bar of the Commonwealth of Massachusetts and this Court and attorneys at the law firm Sugarman, Rogers, Barshak & Cohen, P.C., respectfully move this Court to grant permission to the NAACP Legal Defense and Educational Fund, Inc. (“LDF”), by and through its attorney Earl A. Kirkland III, to appear and practice *pro hac vice* in this matter as counsel for amici curiae 21 Colorful Crimson, Harvard Black Alumni Society, Association for Black Harvard Women, Harvard-Radcliffe Black Students Association, Kuumba Singers of Harvard College, Fuerza Latina of Harvard, Harvard Asian American Alumni Alliance, Native Americans at Harvard College, Harvard-Radcliffe Asian American Association, Harvard-Radcliffe Asian American Women’s Association, Harvard Asian American Brotherhood, Harvard Vietnamese Association, Harvard-Radcliffe Chinese Students Association, Harvard Korean Association, Harvard Japan Society, Harvard South Asian Association, Harvard Islamic Society, Task Force on Asian and Pacific American Studies at Harvard College, Harvard Phillips Brooks House Association, Harvard Minority Association of

Pre-Medical Students, Coalition for a Diverse Harvard, First Generation Harvard Alumni, Native American Alumni of Harvard University, Harvard University Muslim Alumni, and Harvard Latino Alumni Alliance (collectively, “Amici”).

1. Earl A. Kirkland III is an attorney at NAACP Legal Defense and Educational Fund, Inc., located at 40 Rector Street, 5th Floor, New York, NY 10006. He is a member in good standing of the bars of the State of Michigan and the United States Courts of Appeals for the Sixth Circuit. There are no disciplinary proceedings pending against Mr. Kirkland in any jurisdiction. Mr. Kirkland is familiar with the issues of this case and the Local Rules of this Court.

2. Kate R. Cook and Kenneth N. Thayer, members in good standing of the Bar of the Commonwealth of Massachusetts and the United States District Court for the District of Massachusetts, will continue to represent the Amici as local counsel if this motion is granted.

3. In support of this Motion, Amici submit the Certification of Mr. Kirkland.

WHEREFORE, Amici, by their attorneys Kate R. Cook and Kenneth N. Thayer, respectfully request that this Court grant permission to Earl A. Kirkland III, to appear and practice *pro hac vice* on behalf of Amici.

Dated: August 29, 2018

Respectfully submitted,

/s/ Kenneth N. Thayer
Kate R. Cook BBO #650698
cook@sugarmanrogers.com
Kenneth N. Thayer, BBO #671029
thayer@sugarmanrogers.com
Sugarman, Rogers, Barshak & Cohen, P.C.
101 Merrimac Street (9th floor)
Boston, MA 02114-4737
(617) 227-3030

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby certify that on August 28, 2018, counsel for the above-listed amici curiae conferred with counsel for the plaintiff, Students for Fair Admissions, Inc., and with counsel for the defendant, President and Fellows of Harvard College, and both parties indicated their assent to this motion.

/s/ Kenneth N. Thayer
Kenneth N. Thayer, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2018, a copy of the foregoing MOTION FOR ADMISSION *PRO HAC VICE* OF NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC. was filed through the Court's ECF system, which provided notice of this filing to all counsel of record via the CM/ECF system.

/s/ Kenneth N. Thayer
Kenneth N. Thayer, Esq.