

**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 LEAVE TO SUBMIT REPLY
ON BEHALF OF AMICI CURIAE
HARVARD STUDENT AND ALUMNI ORGANIZATIONS**

Amici Curiae 21 Colorful Crimson, Harvard Black Alumni Society, Association of Black Harvard Women, Coalition for a Diverse Harvard, First Generation Harvard Alumni, Fuerza Latina of Harvard, Harvard Asian American Alumni Alliance, Harvard Asian American Brotherhood, Harvard Islamic Society, Harvard Japan Society, Harvard Korean Association, Harvard Latino Alumni Alliance, Harvard Minority Association of Pre-Medical Students, Harvard Phillips Brooks House Association, Harvard South Asian Association, Harvard University Muslim Alumni, Harvard Vietnamese Association, Harvard-Radcliffe Asian American Association, Harvard-Radcliffe Asian American Women's Association, Harvard-Radcliffe Black Students Association, Harvard-Radcliffe Chinese Students Association, Kuumba Singers of Harvard College, Native American Alumni of Harvard University, Native Americans at Harvard College, and Task Force on Asian and Pacific American Studies at Harvard College (collectively "Amici Organizations") request leave pursuant to local rule 7.1(b)(3) to file a Reply to Plaintiff's

Memorandum in Opposition to Amici Organizations' Motion for Leave to File to Participate as Amici Curiae, attached hereto as Exhibit 1.

Amici Organizations seek to respond to arguments that Plaintiff Students for Fair Admissions ("SFFA") submitted in opposition to Amici Organizations' Motion to Participate in Trial (ECF No. 550). SFFA asserts that the Court should preclude the participation of the Amici Organizations in trial, claiming that such participation is "rare," citing judicial efficiency, casting doubt on the knowledge of potential witnesses, and highlighting that Harvard itself chose not to include testimony from the Amici Organizations. *See* ECF No. 550. On the contrary, as the proposed reply will demonstrate, this Circuit and others have permitted trial participation of amici, the members of the Amici Organizations have had personal experience with Harvard's admissions process as both applicants and alumni interviewers, and the additional insights of representatives from these communities are necessary to construct a thorough trial record. Further, Harvard has expressed no concerns about judicial efficiency and instead noted the testimony of Amici Organizations would be helpful to this Court. *See* ECF No. 541 at 2. The contemplated involvement of the Amici Organizations is limited in scope, would not impede judicial efficiency, and would aid this Court's evaluation of this important case.

WHEREFORE, the Proposed Amici Organizations respectfully request that the Court grant them leave to file a reply.

Dated: September 27, 2018

Respectfully submitted,

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Alumni Alliance, Harvard Asian American
Brotherhood, Harvard Islamic Society,
Harvard Japan Society, Harvard Korean
Association, Harvard Latino Alumni
Alliance, Harvard Minority Association of
Pre-Medical Students, Harvard Phillips
Brooks House Association, Harvard South
Asian Association, Harvard University
Muslim Alumni, Harvard Vietnamese
Association, Harvard-Radcliffe Asian
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Harvard-Radcliffe Black Students Association, Harvard-Radcliffe Chinese Students Association, Kuumba Singers of Harvard College, Native American Alumni of Harvard University, Native Americans at Harvard College, and Task Force on Asian and Pacific American Studies at Harvard College.

**Admitted Pro Hac Vice*

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby certify that counsel for the above-listed amici curiae conferred with counsel for the defendant, President and Fellows of Harvard College and counsel for the plaintiff, Students for Fair Admissions, Inc., on September 26, 2018. Both parties consent to Amici Organizations' Motion for Leave to Submit a Reply.

/s/ Jennifer A. Holmes
Jennifer A. Holmes

CERTIFICATE OF SERVICE

I hereby certify that on the 27th of September 2018, a copy of the above and foregoing MOTION FOR LEAVE TO SUBMIT A REPLY ON BEHALF OF AMICI CURIAE HARVARD STUDENT AND ALUMNI ORGANIZATIONS was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the court's electronic filing system.

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