

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

STUDENTS FOR FAIR ADMISSIONS, INC.,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE,

Defendant.

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

REQUEST FOR JUDICIAL NOTICE

Plaintiff Students for Fair Admissions, Inc. files this request for judicial notice as the Court invited in its Memorandum and Order on Cross-Motions for Summary Judgment (D.I. 566 at 29 n.18) and during the pretrial conference.¹ Pursuant to Federal Rule of Civil Procedure 201(b), SFFA asks the Court to take judicial notice of the following:

The Report of the College Working Group on Diversity and Inclusion at Harvard, issued in November 2015, stated that “[u]nder the presidency of Abbott Lawrence Lowell (1909-1933), the Harvard administration restricted the numbers of Jewish students.” (DX-13.)

The Harvard President’s Report: 1993-1995 stated that “President A. Lawrence Lowell . . . called for quotas on the number of Jewish students admitted to Harvard.” (DX-40.)

In 1926, the Board of Overseers of Harvard College adopted a recommendation that “the rules for the admission of candidates be amended to lay greater emphasis on selection based on character and fitness, and the promise of the greatest usefulness in the future as a result of a Harvard education.” (P500.)

¹ Harvard does not oppose this motion, without prejudice to Harvard’s continuing objection to the relevance of these judicially noticeable facts to SFFA’s claims.

Dated: October 8, 2018

Respectfully submitted,

/s/ Adam K. Mortara

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CERTIFICATE OF CONFERENCE

Pursuant to Local Rule 7.1(a), the undersigned conferred with counsel for Defendant on October 5, 2018. Defendant consents to the relief requested in this motion as explained in Footnote 1.

/s/ Katherine L.I. Hacker

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 8th day of October, 2018.

/s/ Adam K. Mortara