

No. 21-707

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In the **Supreme Court of the United States**

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STUDENTS FOR FAIR ADMISSIONS, INC.,  
*Petitioner,*

v.

UNIVERSITY OF NORTH CAROLINA, ET AL.,  
*Respondents.*

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**On Writ of Certiorari Before Judgment to the  
United States Court of Appeals for the Fourth Circuit**

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**JOINT APPENDIX VOL. I of IV (JA1–JA404)**

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MAY 2, 2022

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PETITION FOR WRIT OF CERTIORARI FILED NOVEMBER 11, 2021  
PETITION FOR WRIT OF CERTIORARI GRANTED JANUARY 24, 2022

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JA1

***Students for Fair Admissions, Inc. v. University  
of North Carolina, et al.***  
**1:14-cv-00954-LCB-JLW (M.D.N.C.)**

11/17/2014	1	COMPLAINT against All Defendants ( Filing fee \$ 400 receipt number 0418-1607504.), filed by Students For Fair Admissions. (Attachments: # 1 Exhibit Declaration of Edward Blum)(BOYLE, WILLIAM) (Entered: 11/17/2014)
11/17/2014	2	CORPORATE DISCLOSURE STATEMENT filed pursuant to FRCP 7.1(a) by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. (BOYLE, WILLIAM) (Entered: 11/17/2014)
11/18/2014	3	Summons Issued as to All Defendants. (Attachments: # 1 Summons Caudill, # 2 Summons Bissette, # 3 Summons Mitchell, # 4 Summons MacMahan)(Coyne, Michelle) (Entered: 11/18/2014)
11/18/2014	4	Additional Attachments to Main Document re 3 Summons Issued.

JA2

		(Attachments: # 1 UNCCH, # 2 UNCBOG, # 3 UNC, # 4 Ross) (Coyne, Michelle) (Entered: 11/18/2014)
11/18/2014	5	Additional Attachments to Main Document re 3 Summons Issued. (Attachments: # 1 Pickett, # 2 Lerner, # 3 Long, # 4 Farmer, # 5 Lampe, # 6 Shuping Russell)(Coyne, Michelle) (Entered: 11/18/2014)
11/18/2014	6	Additional Attachments to Main Document re 3 Summons Issued. (Attachments: # 1 Hood, # 2 Rippy, # 3 Taylor, # 4 Trask, # 5 Parrish)(Coyne, Michelle) (Entered: 11/18/2014)
11/18/2014	7	Additional Attachments to Main Document re 3 Summons Issued. (Attachments: # 1 Walker, # 2 Grauer, # 3 Hans, # 4 Maxwell, # 5 Wiley, # 6 Hopkins)(Coyne, Michelle) (Entered: 11/18/2014)
11/18/2014	8	Additional Attachments to Main Document re 3 Summons Issued. (Attachments: # 1 Perry, # 2 MacNeill, # 3 Brown, # 4 Dean, # 5 Holmes, # 6 Souza, # 7 Hinton)(Coyne, Michelle) (Entered: 11/18/2014)

JA3

11/18/2014	9	Additional Attachments to Main Document re 3 Summons Issued. (Attachments: # 1 Smith, # 2 Math, # 3 Gage, # 4 Frainger, # 5 Sywassink, # 6 Lail, # 7 Stone)(Coyne, Michelle) (Entered: 11/18/2014)
11/18/2014	10	Additional Attachments to Main Document re 3 Summons Issued. (Attachments: # 1 Powers, # 2 Duckett, # 3 Whaley, # 4 Folt, # 5 Spangler, # 6 Goodnight, # 7 Powell) (Coyne, Michelle) (Entered: 11/18/2014)
11/18/2014	11	Additional Attachments to Main Document re 3 Summons Issued. (Attachments: # 1 Parker) (Coyne, Michelle) (Entered: 11/18/2014)
11/18/2014	12	Notice of Right to Consent. Counsel shall serve the attached form on all parties. (Coyne, Michelle) (Entered: 11/18/2014)
12/11/2014	13	WAIVER OF SERVICE of SUMMONS by STUDENTS FOR FAIR ADMISSIONS, INC..

JA4

	<p>JEFFERSON W. BROWN waiver sent on 12/1/2014, answer due 1/30/2015; W. LOWRY CAUDILL waiver sent on 12/1/2014, answer due 1/30/2015; PHILLIP L. CLAY waiver sent on 12/1/2014, answer due 1/30/2015; HAYWOOD D. COCHRANE waiver sent on 12/1/2014, answer due 1/30/2015; DONALD WILLIAMS CURTIS waiver sent on 12/1/2014, answer due 1/30/2015; JAMES W. DEAN, JR waiver sent on 12/1/2014, answer due 1/30/2015; CHARELS G. DUCKETT waiver sent on 12/1/2014, answer due 1/30/2015; STEPHEN M. FARMER waiver sent on 12/1/2014, answer due 1/30/2015; CAROL L. FOLT waiver sent on 12/1/2014, answer due 1/30/2015; ALSTON GARDNER waiver sent on 12/1/2014, answer due 1/30/2015; PETER T. GRAUER waiver sent on 12/1/2014, answer due 1/30/2015; KELLY MATTHEWS HOPKINS waiver sent on 12/1/2014, answer due 1/30/2015;</p>
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JA5

		STEVEN LERNER waiver sent on 12/1/2014, answer due 1/30/2015; ANDREW HENRY POWELL waiver sent on 12/1/2014, answer due 1/30/2015; SALLIE SHUPING-RUSSELL waiver sent on 12/1/2014, answer due 1/30/2015; DWIGHT D. STONE waiver sent on 12/1/2014, answer due 1/30/2015; UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL waiver sent on 12/1/2014, answer due 1/30/2015; UNIVERSITY OF NORTH CAROLINA BOARD OF TRUSTEES waiver sent on 12/1/2014, answer due 1/30/2015. (BOYLE, WILLIAM) (Entered: 12/11/2014)
12/11/2014	14	WAIVER OF SERVICE of SUMMONS by STUDENTS FOR FAIR ADMISSIONS, INC.. ROGER AIKEN waiver sent on 11/21/2014, answer due 1/20/2015; W. LOUIS BISSETTE, JR waiver sent on 11/21/2014, answer due 1/20/2015; JOHN C. FENNEBRESQUE waiver sent on 11/21/2014, answer due

JA6

		1/20/2015; H. FRANK FRAINER waiver sent on 11/21/2014, answer due 1/20/2015; HANNAH D. GAGE waiver sent on 11/21/2014, answer due 1/20/2015; ANN B. GOODNIGHT waiver sent on 11/21/2014, answer due 1/20/2015; PETER D. HANS waiver sent on 11/21/2014, answer due 1/20/2015; THOMAS J. HARRELSON waiver sent on 11/21/2014, answer due 1/20/2015; HENRY W. HINTON waiver sent on 11/21/2014, answer due 1/20/2015; JAMES L. HOLMES, JR waiver sent on 11/21/2014, answer due 1/20/2015; RODNEY E. HOOD waiver sent on 11/21/2014, answer due 1/20/2015; W. MARTY KOTIS, III waiver sent on 11/21/2014, answer due 1/20/2015; G. LEROY LAIL waiver sent on 11/21/2014, answer due 1/20/2015; SCOTT LAMPE waiver sent on 11/21/2014, answer due 1/20/2015; STEVEN B. LONG waiver sent on 11/21/2014, answer due 1/20/2015;
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JA7

		<p>JOAN G. MACNEILL waiver sent on 11/21/2014, answer due 1/20/2015; HARI H. MATH waiver sent on 11/21/2014, answer due 1/20/2015; MARY ANN MAXWELL waiver sent on 11/21/2014, answer due 1/20/2015; W. EDWIN MCMAHAN waiver sent on 11/21/2014, answer due 1/20/2015; W.G. CHAMPION MITCHELL waiver sent on 11/21/2014, answer due 1/20/2015; ANNA SPANGLER NELSON waiver sent on 11/21/2014, answer due 1/20/2015; ALEX PARKER waiver sent on 11/21/2014, answer due 1/20/2015; R. DOYLE PARRISH waiver sent on 11/21/2014, answer due 1/20/2015; JOAN TEMPLETON PERRY waiver sent on 11/21/2014, answer due 1/20/2015; THERENCE O. PICKETT waiver sent on 11/21/2014, answer due 1/20/2015; DAVID M. POWERS waiver sent on 11/21/2014, answer due 1/20/2015; ROBERT S. RIPPY waiver sent on 11/21/2014, answer due 1/20/2015;</p>
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JAS

		<p>THOMAS W. ROSS waiver sent on 11/21/2014, answer due 1/20/2015; HARRY LEO SMITH, JR waiver sent on 11/21/2014, answer due 1/20/2015; J. CRAIG SOUZA waiver sent on 11/21/2014, answer due 1/20/2015; GEORGE A. SYWASSINK waiver sent on 11/21/2014, answer due 1/20/2015; RICHARD F. TAYLOR waiver sent on 11/21/2014, answer due 1/20/2015; RAIFORD TRASK, III waiver sent on 11/21/2014, answer due 1/20/2015; UNIVERSITY OF NORTH CAROLINA waiver sent on 11/21/2014, answer due 1/20/2015; UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS waiver sent on 11/21/2014, answer due 1/20/2015; PHILLIP D. WALKER waiver sent on 11/21/2014, answer due 1/20/2015; LAURA I. WILEY waiver sent on 11/21/2014, answer due 1/20/2015. (BOYLE, WILLIAM) (Entered: 12/11/2014)</p>
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01/12/2015	15	NOTICE of Appearance by attorney MATTHEW T. TULCHIN on behalf of Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JEFFERSON W. BROWN, W. LOWRY CAUDILL, PHILLIP L. CLAY, HAYWOOD D. COCHRANE, DONALD WILLIAMS CURTIS, JAMES W. DEAN, JR, CHARELS G. DUCKETT, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ALSTON GARDNER, ANN B. GOODNIGHT, PETER T. GRAUER, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, KELLY MATTHEWS HOPKINS, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN LERNER, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON,
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		<p>ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, ANDREW HENRY POWELL, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, SALLIE SHUPING-RUSSELL, HARRY LEO SMITH, JR, J. CRAIG SOUZA, DWIGHT D. STONE, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, UNIVERSITY OF NORTH CAROLINA BOARD OF TRUSTEES, PHILLIP D. WALKER, LAURA I. WILEY (TULCHIN, MATTHEW) (Entered: 01/12/2015)</p>
01/12/2015	16	<p>NOTICE of Appearance by attorney STEPHANIE A. BRENNAN on behalf of Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JEFFERSON W. BROWN, W. LOWRY CAUDILL,</p>

JA11

		PHILLIP L. CLAY, HAYWOOD D. COCHRANE, DONALD WILLIAMS CURTIS, JAMES W. DEAN, JR, CHARELS G. DUCKETT, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ALSTON GARDNER, ANN B. GOODNIGHT, PETER T. GRAUER, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, KELLY MATTHEWS HOPKINS, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN LERNER, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, ANDREW HENRY POWELL, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS,
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JA12

		SALLIE SHUPING-RUSSELL, HARRY LEO SMITH, JR, J. CRAIG SOUZA, DWIGHT D. STONE, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, UNIVERSITY OF NORTH CAROLINA BOARD OF TRUSTEES, PHILLIP D. WALKER, LAURA I. WILEY (BRENNAN, STEPHANIE) (Entered: 01/12/2015)
01/12/2015	17	MOTION for Extension of Time to File Answer <i>or Other Response</i> by ROGER AIKEN, W. LOUIS BISSETTE, JR, JEFFERSON W. BROWN, W. LOWRY CAUDILL, PHILLIP L. CLAY, HAYWOOD D. COCHRANE, DONALD WILLIAMS CURTIS, JAMES W. DEAN, JR, CHARELS G. DUCKETT, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER,

	<p>HANNAH D. GAGE, ALSTON  GARDNER, ANN B.  GOODNIGHT, PETER T.  GRAUER, PETER D. HANS,  THOMAS J. HARRELSON,  HENRY W. HINTON, JAMES  L. HOLMES, JR, RODNEY E.  HOOD, KELLY MATTHEWS  HOPKINS, W. MARTY KOTIS,  III, G. LEROY LAIL, SCOTT  LAMPE, STEVEN LERNER,  STEVEN B. LONG, JOAN G.  MACNEILL, HARI H. MATH,  MARY ANN MAXWELL,  W. EDWIN MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  ANDREW HENRY POWELL,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  SALLIE SHUPING-RUSSELL,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, DWIGHT D.  STONE, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT</p>
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JA14

		CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, UNIVERSITY OF NORTH CAROLINA BOARD OF TRUSTEES, PHILLIP D. WALKER, LAURA I. WILEY. (BRENNAN, STEPHANIE) (Entered: 01/12/2015)
01/12/2015		Case Reassigned to JUDGE LORETTA C. BIGGS. JUDGE THOMAS D. SCHROEDER no longer assigned to the case. (Garrett, Kim) (Entered: 01/12/2015)
01/13/2015		Motions Referred: RE: 17 MOTION for Extension of Time to File Answer <i>or Other Response</i> , to MAG/JUDGE JOE L. WEBSTER (Williamson, Wanda) (Entered: 01/13/2015)
01/15/2015	18	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 1/15/2015, that Defendants' Motion (Docket Entry 17) is <b>GRANTED</b> , and Defendants are allowed up to and including <b>March 6, 2015</b> , within which to serve an answer or otherwise respond

JA15

		to Plaintiff's complaint. (Daniel, J) (Entered: 01/15/2015)
01/23/2015	19	NOTICE of Appearance by attorney JOHN MICHAEL CONNOLLY on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. (CONNOLLY, JOHN) (Entered: 01/23/2015)
01/23/2015	20	NOTICE of Appearance by attorney THOMAS R. MCCARTHY on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. (MCCARTHY, THOMAS) (Entered: 01/23/2015)
01/23/2015	21	NOTICE of Appearance by attorney WILLIAM S. CONSOVOY on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. (CONSOVOY, WILLIAM) (Entered: 01/23/2015)
03/04/2015	23	Consent MOTION for Extension of Time to File Answer re 1 Complaint by ROGER AIKEN, W. LOUIS BISSETTE, JR, JEFFERSON W. BROWN, W. LOWRY CAUDILL, PHILLIP L. CLAY,

		HAYWOOD D. COCHRANE, DONALD WILLIAMS CURTIS, JAMES W. DEAN, JR, CHARELS G. DUCKETT, STEPHEN M. FARMER, JOHN C.FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ALSTON GARDNER, ANN B. GOODNIGHT, PETER T. GRAUER, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, KELLY MATTHEWS HOPKINS, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN LERNER, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, ANDREW HENRY POWELL, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, SALLIE SHUPING-RUSSELL,
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JA17

		HARRY LEO SMITH, JR, J. CRAIG SOUZA, DWIGHT D. STONE, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, UNIVERSITY OF NORTH CAROLINA BOARD OF TRUSTEES, PHILLIP D. WALKER, LAURA I. WILEY. (Attachments: # 1 Text of Proposed Order Proposed Order)(BRENNAN, STEPHANIE) (Entered: 03/04/2015)
03/06/2015		Motions Referred: RE: 23 Consent MOTION for Extension of Time to File Answer re 1 Complaint to MAG/JUDGE JOE L. WEBSTER. (Kemp, Donita) (Entered: 03/06/2015)
03/06/2015	24	NOTICE of Appearance by attorney MICHAEL YALE SCUDDER on behalf of Defendants ROGER AIKEN,

		W. LOUIS BISSETTE, JR, JEFFERSON W. BROWN, W. LOWRY CAUDILL, PHILLIP L. CLAY, HAYWOOD D. COCHRANE, DONALD WILLIAMS CURTIS, JAMES W. DEAN, JR, CHARELS G. DUCKETT, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ALSTON GARDNER, ANN B. GOODNIGHT, PETER T. GRAUER, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, KELLY MATTHEWS HOPKINS, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN LERNER, STEVEN LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT,
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		<p>ANDREW HENRY POWELL,          DAVID M. POWERS, ROBERT          S. RIPPY, THOMAS W. ROSS,          SALLIE SHUPING-RUSSELL,          HARRY LEO SMITH, JR,          J. CRAIG SOUZA, DWIGHT D.          STONE, GEORGE A.          SYWASSINK, RICHARD F.          TAYLOR, RAIFORD TRASK,          III, UNIVERSITY OF NORTH          CAROLINA, UNIVERSITY OF          NORTH CAROLINA AT          CHAPEL HILL, UNIVERSITY          OF NORTH CAROLINA          BOARD OF GOVERNORS,          UNIVERSITY OF NORTH          CAROLINA BOARD OF          TRUSTEES, PHILLIP D.          WALKER, LAURA I. WILEY          (SCUDDER, MICHAEL)          (Entered: 03/06/2015)</p>
<p>03/06/2015</p>	<p>25</p>	<p>NOTICE of Appearance by          attorney MARIANNE H.          COMBS on behalf of          Defendants ROGER AIKEN,          W. LOUIS BISSETTE, JR,          JEFFERSON W. BROWN, W.          LOWRY CAUDILL, PHILLIP          L. CLAY, HAYWOOD D.          COCHRANE, DONALD          WILLIAMS CURTIS, JAMES          W. DEAN, JR,</p>

JA20

		CHARELS G. DUCKETT, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ALSTON GARDNER, ANN B. GOODNIGHT, PETER T. GRAUER, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, KELLY MATTHEWS HOPKINS, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN LERNER, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, ANDREW HENRY POWELL, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, SALLIE SHUPING-RUSSELL, HARRY LEO SMITH, JR, J. CRAIG SOUZA, DWIGHT D. STONE,
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JA21

		GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, UNIVERSITY OF NORTH CAROLINA BOARD OF TRUSTEES, PHILLIP D. WALKER, LAURA I. WILEY (COMBS, MARIANNE) (Entered: 03/06/2015)
03/09/2015	26	<b>ORDER</b> signed by MAG/JUDGE JOE L. WEBSTER on 03/09/2015, that Defendants' Motion (Docket Entry 23) is <b>GRANTED</b> , and Defendants shall have up to and including March 16, 2015 to file an answer or other response to Plaintiff's complaint. (Taylor, Abby) Modified on 3/10/2015 to correct docket text (Taylor, Abby). (Entered: 03/09/2015)
03/16/2015	27	Consent MOTION for Extension of Time to File Answer re 1 Complaint <i>or</i> <i>Otherwise Respond</i> by

JA22

	<p>             ROGER AIKEN, W. LOUIS              BISSETTE, JR, JEFFERSON              W. BROWN, W. LOWRY              CAUDILL, PHILLIP L. CLAY,              HAYWOOD D. COCHRANE,              DONALD WILLIAMS              CURTIS, JAMES W. DEAN,              JR, CHARELS G. DUCKETT,              STEPHEN M. FARMER,              JOHN C. FENNEBRESQUE,              CAROL L. FOLT, H. FRANK              FRAINGER, HANNAH D.              GAGE, ALSTON GARDNER,              ANN B. GOODNIGHT, PETER              T. GRAUER, PETER D.              HANS, THOMAS J.              HARRELSON, HENRY W.              HINTON, JAMES L.              HOLMES, JR, RODNEY E.              HOOD, KELLY MATTHEWS              HOPKINS, W. MARTY KOTIS,              III, G. LEROY LAIL, SCOTT              LAMPE, STEVEN LERNER,              STEVEN B. LONG, JOAN G.              MACNEILL, HARI H. MATH,              MARY ANN MAXWELL,              W. EDWIN MCMAHAN, W.G.              CHAMPION MITCHELL,              ANNA SPANGLER NELSON,              ALEX PARKER, R. DOYLE              PARRISH, JOAN              TEMPLETON PERRY,              THERENCE O. PICKETT,         </p>
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JA23

		<p>ANDREW HENRY POWELL, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, SALLIE SHUPING-RUSSELL, HARRY LEO SMITH, JR, J. CRAIG SOUZA, DWIGHT D. STONE, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, UNIVERSITY OF NORTH CAROLINA BOARD OF TRUSTEES, PHILLIP D. WALKER, LAURA I. WILEY. (Attachments: # 1 Text of Proposed Order)(SCUDDER, MICHAEL) (Entered: 03/16/2015)</p>
03/19/2015		<p>Motions Referred: RE: 27 Consent MOTION for Extension of Time to File Answer re 1 Complaint <i>or</i> <i>Otherwise Respond</i>, to MAG/JUDGE JOE L. WEBSTER (Williamson, Wanda) (Entered: 03/19/2015)</p>

JA24

03/20/2015	28	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 3/20/2015, that the motion (Docket Entry 27) is <b>GRANTED</b> , and Defendants shall have up to and including 3/20/2015 to file an answer or otherwise respond to Plaintiff's complaint. (Daniel, J) (Entered: 03/20/2015)
03/20/2015	29	STIPULATION of Dismissal of party <i>JOINT STIPULATION BY ALL PARTIES TO DISMISS VARIOUS PATIES AND CLAIMS</i> by STUDENTS FOR FAIR ADMISSIONS, INC.. (BOYLE, WILLIAM) Modified on 3/23/2015 per the request of filer.(Coyne, Michelle). (Entered: 03/20/2015)
03/24/2015	30	ANSWER to 1 Complaint <i>and Affirmative Defenses</i> by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C.FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT,



	<p>PETER D. HANS, THOMAS J.  HARRELSON, HENRY W.  HINTON, JAMES L.  HOLMES, JR, RODNEY E.  HOOD, W. MARTY KOTIS, III,  G. LEROY LAIL, SCOTT  LAMPE, STEVEN B. LONG,  JOAN G. MACNEILL, HARI  H. MATH, MARY ANN  MAXWELL, W. EDWIN  MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY.  (SCUDDER, MICHAEL)  (Entered:03/24/2015)</p>
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JA26

03/25/2015	31	NOTICE of Initial Pretrial Conference Hearing: Initial Pretrial Conference Hearing set for 5/13/2015 09:30 AM in Durham Courtroom #1 before MAG/JUDGE JOE L. WEBSTER. (Garrett, Kim) (Entered: 03/25/2015)
05/04/2015	32	Rule 26(f) Report (Individual). by STUDENTS FOR FAIR ADMISSIONS, INC.. (BOYLE, WILLIAM) (Entered: 05/04/2015)
05/04/2015	33	Rule 26(f) Report (Individual). by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG,

JA27

		JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY.(SCUDDER, MICHAEL) (Entered: 05/04/2015)
05/12/2015		Motions Referred: RE: 33 Rule 26(f) Report (Individual), 32 Rule 26(f) Report (Individual), to MAG/JUDGE JOE L. WEBSTER (Garrett, Kim) (Entered: 05/12/2015)

JA28

05/13/2015		Minute Entry for proceedings held before MAG/JUDGE JOE L. WEBSTER: Attorneys Thomas McCarthy and William Boyle appeared as counsel for plaintiff. Attorneys Stephanie Brennan and Michael Scudder appeared as counsel for the defendants. Initial Pretrial Conference held on 5/13/2015. The Court adopts defendants Rule 26(f) Report. Written order forthcoming. (Proceedings Recorded) (Winchester, Robin) (Entered: 05/13/2015)
05/14/2015	34	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 5/13/2015, that Plaintiff's Individual Rule 26(f) Report (Docket Entry 32) is <b>DENIED</b> . Defendants' Individual Rule 26(f) Report (Docket Entry 33) is <b>ADOPTED</b> with the following modifications: Initial pretrial disclosures shall be due no later than 5/20/2015. (Daniel, J) (Entered: 05/14/2015)
05/14/2015		Set Scheduling Order Deadlines. Case-Management Track: Exceptional.

JA29

		<p>Discovery due by 2/15/2016.          The parties agree this case is unlikely to be resolved in mediation. Plaintiffs Amended Pleadings and Joinder of Parties due by 6/29/2015. Defendants Amended Pleadings and Joinder of Parties due by 8/11/2015. Dispositive Motions due within 45 days of the close of discovery. The parties do not consent to the reference this case to a Magistrate Judge. ETT: 10-15 days. A jury trial has been demanded. (Daniel, J) (Entered: 05/14/2015)</p>
06/29/2015	35	<p>NOTICE of Appearance by attorney REED N COLFAX on behalf of Intervenor Defendants Cecilia Polanco, Luis Acosta, Star Wingate-Bey, Laura Ornelas, Kevin Mills, Angie Mills, Julia Nieves, Tamika Williams, Ramonia Jones, Intervenor Plaintiff Christopher Jackson (COLFAX, REED) (Entered: 06/30/2015)</p>
06/30/2015	36	<p>NOTICE of Appearance by attorney GLENN SCHLACTUS on behalf of</p>

JA30

		Intervenor Defendants Luis Acosta, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams, Star Wingate-Bey, Intervenor Plaintiff Christopher Jackson (SCHLACTUS, GLENN) (Entered: 06/30/2015)
06/30/2015	37	NOTICE of Appearance by attorney SASHA M. SAMBERG-CHAMPION on behalf of Intervenor Defendants Luis Acosta, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams, Star Wingate-Bey, Intervenor Plaintiff Christopher Jackson (SAMBERG-CHAMPION, SASHA) (Entered: 06/30/2015)
06/30/2015	38	NOTICE of Appearance by attorney LAURA J. GAZTAMBIDE-ARANDES on behalf of Intervenor Defendants Luis Acosta, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams, Star Wingate-Bey, Intervenor

JA31

		Plaintiff Christopher Jackson (GAZTAMBIDE-ARANDES, LAURA) (Entered: 06/30/2015)
06/30/2015	39	MOTION to Intervene by Luis Acosta, Christopher Jackson, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams, Star Wingate-Bey. Responses due by 7/23/2015 (Attachments: # 1 Exhibit 1 - Declarations, # 2 Exhibit 2 - Proposed Answer)(COLFAX, REED) (Entered: 06/30/2015)
06/30/2015	40	MEMORANDUM filed by Intervenor Defendants Luis Acosta, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams, Star Wingate-Bey, Intervenor Plaintiff Christopher Jackson re 39 MOTION to Intervene filed by Luis Acosta, Christopher Jackson, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams, Star Wingate-Bey. (COLFAX, REED) (Entered: 06/30/2015)

JA32

06/30/2015	41	NOTICE of Appearance by attorney JACK HOLTZMAN on behalf of Intervenor Defendants LUIS ACOSTA, CHRISTOPHER JACKSON, RAMONIA JONES, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams, Star Wingate-Bey (HOLTZMAN, JACK) (Entered: 06/30/2015)
07/02/2015	42	NOTICE of Appearance by attorney DANIEL ALAN M. RULEY on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. (RULEY, DANIEL) (Entered: 07/02/2015)
07/02/2015	43	NOTICE of Appearance by attorney ANDREW ALLEN FREEMAN on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. (FREEMAN, ANDREW) (Entered: 07/02/2015)
07/06/2015	44	MOTION to Withdraw as Attorney WILLIAM ELLIS BOYLE by on behalf of STUDENTS FOR FAIR



JA33

		ADMISSIONS, INC.. (Attachments: # 1Text of Proposed Order Proposed Order)(BOYLE, WILLIAM) (Entered: 07/06/2015)
07/06/2015		Motion Referred: RE: 44 MOTION to Withdraw as Attorney - WILLIAM ELLIS BOYLE, to MAGISTRATE JUDGE JOE L. WEBSTER. (Samuel-Priestley, Tina) (Entered: 07/06/2015)
07/06/2015	45	Joint MOTION for Protective Order by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL,

		<p>W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY.          (Attachments: # 1 Text of Proposed Order)(SCUDDER, MICHAEL) (Entered: 07/06/2015)</p>
07/06/2015	46	<p>MOTION to Stay <i>Proceedings</i> by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER,</p>

	<p>HANNAH D. GAGE, ANN B.  GOODNIGHT, PETER D.  HANS, THOMAS J.  HARRELSON, HENRY W.  HINTON, JAMES L.  HOLMES, JR, RODNEY E.  HOOD, W. MARTY KOTIS, III,  G. LEROY LAIL, SCOTT  LAMPE, STEVEN B. LONG,  JOAN G. MACNEILL, HARI  H. MATH, MARY ANN  MAXWELL, W. EDWIN  MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY.</p>
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		(Attachments: # 1 Text of Proposed Order)(SCUDDER, MICHAEL) (Entered: 07/06/2015)
07/06/2015	47	MEMORANDUM filed by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS,

		<p>HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY re 46 MOTION to Stay <i>Proceedings In Support</i> filed by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL,</p>
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JA38

		<p>ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (Attachments: # 1 Exhibit) (SCUDDER, MICHAEL) (Entered: 07/06/2015)</p>
07/07/2015		<p>Motion Referred: RE: 45 Joint MOTION for Protective Order, to MAGISTRATE JUDGE JOE L. WEBSTER. (Samuel-Priestley, Tina) (Entered: 07/07/2015)</p>
07/09/2015	48	<p>ORDER signed by MAG/JUDGE JOE L. WEBSTER on 7/9/2015, that</p>

JA39

		<p>the motion (Docket Entry 44) is <b>GRANTED</b>. W. Ellis Boyle and Ellis Boyle Law, PLLC firm are withdrawn as counsel for Plaintiffs and are discharged from any further duties or responsibilities. (Daniel, J) (Entered: 07/09/2015)</p>
07/09/2015	49	<p>AGREED CONFIDENTIALITY AND PROTECTIVE ORDER. Signed by MAG/JUDGE JOE L. WEBSTER on 7/9/2015. (Daniel, J) (Entered: 07/09/2015)</p>
07/21/2015	50	<p>RESPONSE in Opposition re 39 MOTION to Intervene filed by STUDENTS FOR FAIR ADMISSIONS, INC.. Replies due by 8/7/2015. (Attachments: # 1 Exhibit A - Students v Harvard Order, # 2 Exhibit B - Fisher v. Texas Order) (RULEY, DANIEL) (Entered: 07/21/2015)</p>
07/22/2015	51	<p>RESPONSE in Opposition re 39 MOTION to Intervene filed by ROGER AIKEN, W. LOUIS BISSETTE, JR, JEFFERSON W. BROWN,</p>

		W. LOWRY CAUDILL, PHILLIP L. CLAY, HAYWOOD D. COCHRANE, DONALD WILLIAMS CURTIS, JAMES W. DEAN, JR, CHARELS G. DUCKETT, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ALSTON GARDNER, ANN B. GOODNIGHT, PETER T. GRAUER, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, KELLY MATTHEWS HOPKINS, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN LERNER, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, ANDREW HENRY POWELL,
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JA41

		<p>DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, SALLIE SHUPING-RUSSELL, HARRY LEO SMITH, JR, J. CRAIG SOUZA, DWIGHT D. STONE, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, UNIVERSITY OF NORTH CAROLINA BOARD OF TRUSTEES, PHILLIP D. WALKER, LAURA I. WILEY. Replies due by 8/10/2015. (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2, # 3 Exhibit Exhibit 3, # 4 Exhibit Exhibit 4) (BRENNAN, STEPHANIE) (Entered: 07/22/2015)</p>
07/27/2015	52	<p>RESPONSE in Opposition re 46 MOTION to Stay <i>Proceedings</i> filed by STUDENTS FOR FAIR ADMISSIONS, INC.. Replies due by 8/13/2015. (RULEY, DANIEL)(Entered: 07/27/2015)</p>

JA42

07/27/2015	53	MOTION to Consolidate Briefing by LUIS ACOSTA, CHRISTOPHER JACKSON, RAMONIA JONES, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams, Star Wingate-Bey. (Attachments: # 1 Text of Proposed Order) (COLFAX, REED) (Entered: 07/27/2015)
07/28/2015		Motions Submitted: 53 MOTION to Consolidate Briefing to JUDGE LORETTA C. BIGGS- (Williamson, Wanda) (Entered: 07/28/2015)
08/03/2015	54	ORDER signed by JUDGE LORETTA C. BIGGS on 8/3/2015, granting (ECF No. 53) Unopposed Motion to Consolidate Briefing, and Proposed Intervenors are permitted to file a consolidated reply brief no more than fifteen pages in support of their Motion to Intervene. (Daniel, J) (Entered: 08/03/2015)
08/07/2015	55	REPLY, filed by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR,

	<p>STEPHEN M. FARMER,          JOHN C. FENNEBRESQUE,          CAROL L. FOLT, H. FRANK          FRAINGER, HANNAH D.          GAGE, ANN B. GOODNIGHT,          PETER D. HANS, THOMAS J.          HARRELSON, HENRY W.          HINTON, JAMES L.          HOLMES, JR, RODNEY E.          HOOD, W. MARTY KOTIS, III,          G. LEROY LAIL, SCOTT          LAMPE, STEVEN B. LONG,          JOAN G. MACNEILL, HARI          H. MATH, MARY ANN          MAXWELL, W. EDWIN          MCMAHAN, W.G.          CHAMPION MITCHELL,          ANNA SPANGLER NELSON,          ALEX PARKER, R. DOYLE          PARRISH, JOAN          TEMPLETON PERRY,          THERENCE O. PICKETT,          DAVID M. POWERS, ROBERT          S. RIPPY, THOMAS W. ROSS,          HARRY LEO SMITH, JR,          J. CRAIG SOUZA, GEORGE A.          SYWASSINK, RICHARD F.          TAYLOR, RAIFORD TRASK,          III, UNIVERSITY OF NORTH          CAROLINA, UNIVERSITY OF          NORTH CAROLINA AT          CHAPEL HILL, UNIVERSITY          OF NORTH CAROLINA</p>
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		<p>BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY, to Response to 46 MOTION to Stay <i>Proceedings (Oral Argument Requested)</i> filed by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR,</p>
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		<p>J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (SCUDDER, MICHAEL) (Entered: 08/07/2015)</p>
08/07/2015	56	<p>REPLY, filed by Intervenor Defendants LUIS ACOSTA, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY, to Response to 39 MOTION to Intervene filed by LUIS ACOSTA, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY. (COLFAX, REED) (Entered: 08/07/2015)</p>

## JA46

08/12/2015	57	NOTICE of Hearing: Master Trial Calendar: OCTOBER: Jury Trial set for 10/3/2016 at 09:30 AM in Unassigned Courtroom before UNASSIGNED Judge. Trial briefs and proposed instructions on the issues due 9/12/2016. (Samuel-Priestley, Tina) (Entered: 08/12/2015)
08/13/2015		Motions Submitted: 39 MOTION to Intervene, and 46 MOTION to Stay <i>Proceedings</i> , to JUDGE LORETTA C. BIGGS. (Samuel-Priestley, Tina) (Entered: 08/13/2015)
08/14/2015	58	STIPULATION of <i>Electronically Stored Information Discovery Protocol</i> by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR,

		<p>RODNEY E. HOOD, W.  MARTY KOTIS, III, G. LEROY  LAIL, SCOTT LAMPE,  STEVEN B. LONG, JOAN G.  MACNEILL, HARI H. MATH,  MARY ANN MAXWELL,  W. EDWIN MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY.  (SCUDDER, MICHAEL)  (Entered: 08/14/2015)</p>
<p>08/28/2015</p>	<p>59</p>	<p>Joint MOTION for Protective  Order (<i>Amended</i>) by ROGER  AIKEN,</p>

	<p> W. LOUIS BISSETTE, JR,  JAMES W. DEAN, JR,  STEPHEN M. FARMER,  JOHN C. FENNEBRESQUE,  CAROL L. FOLT, H. FRANK  FRAINGER, HANNAH D.  GAGE, ANN B. GOODNIGHT,  PETER D. HANS, THOMAS J.  HARRELSON, HENRY W.  HINTON, JAMES L.  HOLMES, JR, RODNEY E.  HOOD, W. MARTY KOTIS, III,  G. LEROY LAIL, SCOTT  LAMPE, STEVEN B. LONG,  JOAN G. MACNEILL, HARI  H. MATH, MARY ANN  MAXWELL, W. EDWIN  MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT </p>
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JA49

		<p>CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY.          (Attachments: # 1 Text of Proposed Order) (SCUDDER, MICHAEL) (Entered: 08/28/2015)</p>
08/31/2015		<p>Motion Referred: RE: 59 Joint MOTION for Protective Order (<i>Amended</i>), to MAGISTRATE JUDGE JOE L. WEBSTER. (Samuel-Priestley, Tina) (Entered: 08/31/2015)</p>
09/01/2015	60	<p>NOTICE of Appearance by attorney CHRISTINE C. BISCHOFF on behalf of Intervenor Defendants LUIS ACOSTA, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY (BISCHOFF, CHRISTINE) (Main Document 60 replaced on 9/2/2015) (Sheets, Jamie). (Entered: 09/01/2015)</p>

JA50

09/01/2015	61	AMENDED CONFIDENTIALITY AND PROTECTIVE ORDER signed by MAG/JUDGE JOE L. WEBSTER on 9/1/2015 as set out herein. (Sheets, Jamie) (Entered: 09/01/2015)
09/08/2015	62	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 9/8/2015, that the terms of the Stipulation of the Parties is hereby entered as an Order of this Court. (Daniel, J) (Entered: 09/08/2015)
09/17/2015	63	Joint MOTION for to Discuss Case Management, Scheduling, and Related Considerations in Light of Defendants' Motion to Stay all Proceedings Status Conference by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON,

		<p>JAMES L. HOLMES, JR,  RODNEY E. HOOD, W.  MARTY KOTIS, III, G. LEROY  LAIL, SCOTT LAMPE,  STEVEN B. LONG, JOAN G.  MACNEILL, HARI H. MATH,  MARY ANN MAXWELL, W.  EDWIN MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY.  (SCUDDER, MICHAEL)  (Entered: 09/17/2015)</p>
09/17/2015		<p>Motion Submitted: 63 Joint  MOTION for Status</p>

		Conference to Discuss Case Management, Scheduling, and Related Considerations in Light of Defendants' Motion to Stay all Proceedings, to JUDGE LORETTA C. BIGGS. (Samuel-Priestley, Tina) (Entered: 09/17/2015)
09/30/2015	64	Joint MOTION to Stay <i>Proceedings</i> by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH,

JA53

		<p>JOAN TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY.  (Attachments: # 1 Text of  Proposed Order)(SCUDDER,  MICHAEL) (Entered:  09/30/2015)</p>
09/30/2015		<p>Motion Submitted: 64 Joint  MOTION to Stay <i>Proceedings</i>,  to JUDGE LORETTA C.  BIGGS. (Samuel-Priestley,  Tina) (Entered: 09/30/2015)</p>
10/01/2015	65	<p>ORDER signed by JUDGE  LORETTA C. BIGGS on  10/1/2015, that <b>(i)</b> the Joint  Motion for Partial Stay of  Proceedings (ECF No. 64)</p>

	<p>is <b>GRANTED</b>, that <b>(ii)</b> Defendants shall produce to plaintiff by December 31, 2015 the materials in the Stipulation entered as an Order of the Court on September 8, 2015 (ECF No. 62) and certain other agreed upon documents relating to the University of North Carolina at Chapel Hill's admission policies from the 2013-2014 and 2014-2015 admissions cycles that are partially responsive to Plaintiff's discovery requests; <b>(iii)</b> all other proceedings in this case be stayed pending the Supreme Court's decision in <i>Fisher v. University of Texas at Austin</i>, No. 14-981, with the exception that upon motion by either party the Magistrate Judge assigned to the case may take any action deemed necessary and appropriate to enforce the parties' agreed-upon discovery; and <b>(iv)</b> the parties be directed to meet and confer and notify the Court in writing of their respective positions on the course of continued proceedings within 14 days</p>
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JA55

		following issuance of a decision by the Supreme Court in <i>Fisher II</i> . (Daniel, J) (Entered: 10/01/2015)
12/29/2015	66	Suggestion of Subsequently Decided Authority re 56 Reply to Response to Motion, 50 Response in Opposition to Motion, 39 MOTION to Intervene ,40 Memorandum, by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Exhibit A - Opinion)(RULEY, DANIEL) (Entered: 12/29/2015)
03/15/2016	67	MOTION to Withdraw as Attorney CHRISTINE C. BISCHOFF by on behalf of LUIS ACOSTA, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY. Responses due by 4/8/2016 (Attachments: # 1 Text of Proposed Order) (BISCHOFF, CHRISTINE) (Entered: 03/15/2016)

JA56

03/15/2016		<p>Motion Referred: RE: 67  MOTION to Withdraw as  Attorney CHRISTINE C.  BISCHOFF, to MAGISTRATE  JUDGE JOE L. WEBSTER.  (Samuel-Priestley, Tina)  (Entered: 03/15/2016)</p>
03/21/2016	68	<p>ORDER signed by  MAG/JUDGE JOE L.  WEBSTER on 3/21/2016, that  the motion (Docket Entry 67) is  <b>GRANTED</b>. Christine Bischoff  is withdrawn as counsel for  Proposed  Defendant-Intervenors and is  discharged from any further  duties or responsibilities.  (Daniel, J) (Entered:  03/21/2016)</p>
07/07/2016	69	<p>JOINT MOTION <i>for the  Proposal on the Course of  Continued Proceedings</i> by  ROGER AIKEN, W. LOUIS  BISSETTE, JR, JAMES W.  DEAN, JR, STEPHEN M.  FARMER, JOHN C.  FENNEBRESQUE, CAROL L.  FOLT, H. FRANK FRAINGER,  HANNAH D. GAGE, ANN B.  GOODNIGHT, PETER D.  HANS, THOMAS J.  HARRELSON,</p>



JA57

		<p>HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (SCUDDER, MICHAEL) (Entered: 07/07/2016)</p>
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07/15/2016	70	NOTICE by LUIS ACOSTA, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY of <i>Pending Motion</i> (COLFAX, REED) (Entered: 07/15/2016)
07/20/2016	71	Suggestion of Subsequently Decided Authority re 70 Notice (Other) by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JEFFERSON W. BROWN, W. LOWRY CAUDILL, PHILLIP L. CLAY, HAYWOOD D. COCHRANE, DONALD WILLIAMS CURTIS, JAMES W. DEAN, JR, CHARELS G. DUCKETT, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ALSTON GARDNER, ANN B. GOODNIGHT, PETER T. GRAUER, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR,

	<p>           RODNEY E. HOOD, KELLY            MATTHEWS HOPKINS,            W. MARTY KOTIS, III,            G. LEROY LAIL, SCOTT            LAMPE, STEVEN LERNER,            STEVEN B. LONG, JOAN G.            MACNEILL, HARI H. MATH,            MARY ANN MAXWELL, W.            EDWIN MCMAHAN, W.G.            CHAMPION MITCHELL,            ANNA SPANGLER NELSON,            ALEX PARKER, R. DOYLE            PARRISH, JOAN            TEMPLETON PERRY,            THERENCE O. PICKETT,            ANDREW HENRY POWELL,            DAVID M. POWERS, ROBERT            S. RIPPY, THOMAS W. ROSS,            SALLIE SHUPING-RUSSELL,            HARRY LEO SMITH, JR,            J. CRAIG SOUZA, DWIGHT D.            STONE, GEORGE A.            SYWASSINK, RICHARD F.            TAYLOR, RAIFORD TRASK,            III, UNIVERSITY OF NORTH            CAROLINA, UNIVERSITY OF            NORTH CAROLINA AT            CHAPEL HILL, UNIVERSITY            OF NORTH CAROLINA            BOARD OF GOVERNORS,            UNIVERSITY OF NORTH            CAROLINA BOARD OF         </p>
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JA60

		<p>TRUSTEES, PHILLIP D.  WALKER, LAURA I. WILEY.  (Attachments: # 1 Exhibit  Exhibit A- SFFA v. President  &amp; Fellows of Harvard College)  (BRENNAN, STEPHANIE)  (Entered: 07/20/2016)</p>
07/28/2016		<p>Motions Referred: RE: 69  JOINT MOTION <i>for the  Proposal on the Course of  Continued Proceedings</i>, to  MAG/JUDGE JOE L.  WEBSTER (Williamson,  Wanda) (Entered: 07/28/2016)</p>
08/01/2016	72	<p>ORDER signed by  MAG/JUDGE JOE L.  WEBSTER on 8/1/2016,  adopting the proposed  discovery plan set forth in the  parties' Joint Proposal on the  Course of Continued  Proceedings (Docket Entry 69).  All discovery shall be  completed by 12/1/2017. Any  summary judgment motions  shall be filed within 60 days  from the close of discovery.  (Daniel, J) (Entered:  08/01/2016)</p>

## JA61

08/11/2016	73	NOTICE OF CANCELLATION OF JURY TRIAL previously set for the October 2016 Master Calendar Term. (Samuel-Priestley, Tina) (Entered: 08/11/2016)
08/16/2016	74	( <b>Docketed in Error</b> ) NOTICE of Trial Calendar Jury Trial set for 10/3/2016 09:30 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS. (Winchester, Robin) Modified on 8/16/2016 (Winchester, Robin). (Entered: 08/16/2016)
09/09/2016	75	NOTICE of Hearing: Master Trial Calendar: OCTOBER: Jury Trial set for 10/2/2017 at 9:30 AM in Unassigned Courtroom before UNASSIGNED JUDGE. Trial briefs and proposed instructions on the issues due 9/11/2017. (Samuel-Priestley, Tina) (Entered: 09/09/2016)
09/16/2016	76	NOTICE OF RESCHEDULING: Master Trial Calendar: OCTOBER: Jury Trial set for 10/1/2018 at 9:30 AM in Unassigned

JA62

		Courtroom before UNASSIGNED JUDGE. Trial briefs and proposed instructions on the issues due 9/10/2018.(Samuel-Priestley, Tina) (Entered: 09/16/2016)
10/07/2016	77	NOTICE of Appearance by attorney MICHAEL H. PARK on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. (PARK, MICHAEL) (Entered: 10/07/2016)
10/07/2016	78	NOTICE of Appearance by attorney PATRICK STRAWBRIDGE on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. (STRAWBRIDGE, PATRICK) (Entered: 10/07/2016)
01/13/2017	79	<b>MEMORANDUM OPINION AND ORDER.</b> Signed by JUDGE LORETTA C. BIGGS on 1/13/2017, that Proposed Intervenors' Motion to Intervene in Defense of UNC-Chapel Hill's Admissions Policy (ECF No. 39) is GRANTED IN PART and DENIED IN PART.

JA63

		<p>Proposed Intervenors' motion to intervene as of right under Rule 24(a) is DENIED. However, their motion for permissive intervention under Rule 24(b) is GRANTED. (Daniel, J) (Entered: 01/13/2017)</p>
02/02/2017	80	<p><i>Defendant-Intervenors'</i> ANSWER to 1 Complaint by LUIS ACOSTA, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY. (GAZTAMBIDE-ARANDES, LAURA) (Entered: 02/02/2017)</p>
04/14/2017	81	<p>Joint MOTION to Produce <i>Documents Pursuant to the Amended Protective Order</i> by UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL. (SCUDDER, MICHAEL) (Entered: 04/14/2017)</p>
04/14/2017		<p>Motions Referred: RE: 81 Joint MOTION to Produce Documents Pursuant to the</p>

JA64

		Amended Protective Order to MAG/JUDGE JOE L. WEBSTER. (Kemp, Donita) (Entered: 04/14/2017)
04/17/2017		TEXT ORDER granting 81 Motion to Produce Documents Pursuant to the Amended Protective Order as set forth in motion. Issued by MAG/JUDGE JOE L. WEBSTER on 4/17/2017. (Lee, Pedra) (Entered: 04/17/2017)
05/12/2017	82	Unopposed MOTION to add Andrew Brennan as Defendant-Intervenor filed by LUIS ACOSTA, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY. Response to Motion due by 6/2/2017 (Attachments: # 1 Text of Proposed Order) (GAZTAMBIDE-ARANDES, LAURA) Modified docket on 5/15/2017 to edit title of Motion. (Daniel, J) (Entered: 05/12/2017)



JA65

05/15/2017		Motions Referred: RE: 82 MOTION ( <i>Unopposed</i> ), to MAG/JUDGE JOE L. WEBSTER (Blay, Debbie) (Entered: 05/15/2017)
05/17/2017	83	MOTION to Compel <i>Production of Applicant Data</i> by STUDENTS FOR FAIR ADMISSIONS, INC.. (MCCARTHY, THOMAS) (Entered: 05/17/2017)
05/17/2017	84	MEMORANDUM re 83 MOTION to Compel <i>Production of Applicant Data</i> by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Exhibit Harvard Order, # 2 Exhibit Harvard Transcript (excerpt)) (MCCARTHY, THOMAS) (Entered: 05/17/2017)
05/17/2017		Set Response Deadline re: 83 MOTION to Compel <i>Production of Applicant Data</i> . Responses due by 6/5/2017. (Daniel, J) (Entered: 05/19/2017)
05/18/2017		TEXT ORDER granting 82 Unopposed Motion to Add

		Defendant-Intervenor. Andrew Brennan shall be added as an additional defendant-intervenor in this action. Issued by MAG/JUDGE JOE L. WEBSTER on 5/18/2017. (Lee, Pedra) (Entered: 05/18/2017)
06/05/2017	85	RESPONSE filed by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JEFFERSON W. BROWN, W. LOWRY CAUDILL, PHILLIP L. CLAY, HAYWOOD D. COCHRANE, DONALD WILLIAMS CURTIS, JAMES W. DEAN, JR, CHARELS G. DUCKETT, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ALSTON GARDNER, ANN B. GOODNIGHT, PETER T. GRAUER, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, KELLY MATTHEWS HOPKINS, W. MARTY KOTIS, III, G. LEROY LAIL,

	<p>SCOTT LAMPE, STEVEN  LERNER, STEVEN B. LONG,  JOAN G. MACNEILL, HARI  H. MATH, MARY ANN  MAXWELL, W. EDWIN  MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  ANDREW HENRY POWELL,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  SALLIE SHUPING-RUSSELL,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, DWIGHT D.  STONE, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  UNIVERSITY OF NORTH  CAROLINA BOARD OF  TRUSTEES, PHILLIP D.  WALKER, LAURA I. WILEY  re 83 MOTION to Compel</p>
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		<p>Production of Applicant Data filed by STUDENTS FOR FAIR ADMISSIONS, INC. filed by ROGER AIKEN, W. LOUIS BISSETTE, JR, JEFFERSON W. BROWN, W. LOWRY CAUDILL, PHILLIP L. CLAY, HAYWOOD D. COCHRANE, DONALD WILLIAMS CURTIS, JAMES W. DEAN, JR, CHARELS G. DUCKETT, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ALSTON GARDNER, ANN B. GOODNIGHT, PETER T. GRAUER, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, KELLY MATTHEWS HOPKINS, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN LERNER, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON,</p>
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	<p>ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  ANDREW HENRY POWELL,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  SALLIE SHUPING-RUSSELL,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, DWIGHT D.  STONE, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  UNIVERSITY OF NORTH  CAROLINA BOARD OF  TRUSTEES, PHILLIP D.  WALKER, LAURA I. WILEY.  Replies due by 6/12/2017  (Attachments: # 1 Exhibit 1 -  UNC0079662, # 2 Exhibit 2 -  UNC0079668, # 3 Exhibit 3 -  UNC0079674, # 4 Exhibit 4 -  Dec. 8, 2016 Letter, # 5  Exhibit 5 - Feb 9 2017 Email,  # 6 Exhibit 6 - UNC0194052)</p>
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JA70

		(SCUDDER, MICHAEL) (Entered: 06/05/2017)
06/06/2017		Reset Motion Deadlines re 83 MOTION to Compel Production of Applicant Data. Replies due by 6/12/2017. (Contreras, Jamie) (Entered: 06/06/2017)
06/09/2017	86	MOTION to Compel <i>Production of Documents and Data Regarding Student Preparedness and Performance</i> by STUDENTS FOR FAIR ADMISSIONS, INC. Response to Motion due by 6/23/2017. (RULEY, DANIEL) Modified on 6/12/2017 to replace main document 86 with correct image. (Daniel, J) (Entered: 06/09/2017)
06/09/2017	87	<i>Plaintiff's BRIEF In Support of Motion to Compel Production of documents and Data Regarding Student Preparedness and Performance.</i> (RULEY, DANIEL) Modified on 6/12/2017 and replaced main document 87 with correct image on 6/12/2017. (Daniel, J) (Entered: 06/09/2017)

JA71

06/09/2017	88	DECLARATION filed by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. re 86 MOTION to Compel <i>Production of Documents and Data Regarding Student Preparedness and Performance</i> filed by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L)(RULEY, DANIEL) Modified on 6/12/2017 to replace main document 88 with correct image. (Daniel, J) (Entered: 06/09/2017)
06/12/2017	89	REPLY in Support re 83 MOTION to Compel <i>Production of Applicant Data filed by STUDENTS FOR FAIR ADMISSIONS, INC.</i> (Attachments: # 1 Exhibit C - Reports) (RULEY, DANIEL) Modified on 6/13/2017 to correct title of document and link to correct docket entry

JA72

		<i>(Taylor, Abby). (Entered: 06/12/2017)</i>
06/14/2017		Motions Referred: RE: 83 MOTION to Compel <i>Production of Applicant Data</i> , to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 06/14/2017)
06/19/2017	90	NOTICE of Appearance by attorney EMILY P. TURNER on behalf of Intervenor Defendants LUIS ACOSTA, ANDREW BRENNAN, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY (TURNER, EMILY) (Entered: 06/19/2017)
06/20/2017	91	NOTICE of Appearance by attorney LARA A. FLATH on behalf of Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE,



		ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY
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JA74

		(FLATH, LARA) (Entered: 06/20/2017)
06/23/2017	92	RESPONSE in Opposition re 86 MOTION to Compel <i>Production of Documents and Data Regarding Student Preparedness and Performance</i> filed by STUDENTS FOR FAIR ADMISSIONS, INC. filed by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D.HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH,

		<p>JOAN TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY. Replies due  by 7/10/2017 (SCUDDER,  MICHAEL)(Entered:  06/23/2017)</p>
06/23/2017	93	<p>Additional Attachments to 92  Response in Opposition  (<i>Exhibit 1</i>). (Attachments: # 1  Exhibit 2, # 2 Exhibit 3)  (SCUDDER, MICHAEL)  (Entered: 06/23/2017)</p>
06/23/2017	94	<p>MOTION for Leave to File  <i>Supplemental Memorandum in  Support of Motion to Compel  Production of Applicant Data</i>  by STUDENTS FOR FAIR  ADMISSIONS, INC..</p>

JA76

		Response to Motion due by 7/14/2017 (Attachments: # 1 Exhibit Supplemental Memorandum in Support of Motion to Compel Production of Applicant Data, # 2 Exhibit Exhibit D to Supplemental Memorandum (Email Communications), # 3 Exhibit Exhibit E to Supplemental Memorandum (Discovery Request), # 4 Text of Proposed Order Order) (RULEY, DANIEL) (Entered: 06/23/2017)
06/30/2017	95	MOTION for Extension of Time to File Response/Reply as to 86 MOTION to Compel <i>Production of Documents and Data Regarding Student Preparedness and Performance</i> by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Text of Proposed Order)(RULEY, DANIEL) (Entered: 06/30/2017)
06/30/2017		Motions Referred: RE: 94 MOTION for Leave to File <i>Supplemental Memorandum in Support of Motion to Compel</i>

JA77

		<i>Production of Applicant Data</i> , 95 MOTION for Extension of Time to File Response/Reply as to 86 MOTION to Compel <i>Production of Documents and Data Regarding Student Preparedness and Performance</i> , to MAG/JUDGE JOE L. WEBSTER (Williamson, Wanda) (Entered: 06/30/2017)
06/30/2017	96	ORDER. Signed by MAG/JUDGE JOE L. WEBSTER on 6/30/2017, granting 94 Plaintiff's Motion for Leave to file Supplemental Memorandum in support of Motion to Compel Production of Applicant Data. (Daniel, J) (Entered: 06/30/2017)
06/30/2017	97	ORDER. Signed by MAG/JUDGE JOE L. WEBSTER on 6/30/2017, granting 95 Plaintiff's Motion for Extension of Time until 7/3/2017 to file its Reply Brief in support of its Motion to Compel. (Daniel, J) (Entered: 06/30/2017)
07/03/2017	98	<i>Plaintiff's Reply</i> BRIEF re 86 MOTION to Compel

JA78

		<i>Production of Documents and Data Regarding Student Preparedness and Performance.</i> (RULEY, DANIEL) (Entered: 07/03/2017)
07/11/2017		Motions Referred: RE: 86 MOTION to Compel <i>Production of Documents and Data Regarding Student Preparedness and Performance,</i> to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 07/11/2017)
07/19/2017	99	NOTICE of Hearing: Motion Hearing as to 83 Motion to Compel and 86 Motion to Compel set for 7/27/2017 09:30 AM in Durham Courtroom #1 before MAG/JUDGE JOE L. WEBSTER. (Garrett, Kim) (Entered: 07/19/2017)
07/27/2017		Minute Entry for proceedings held before MAG/JUDGE JOE L. WEBSTER in Durham: Motion Hearing held on 7/27/2017 re 86 MOTION to Compel Production of Documents and Data Regarding Student Preparedness and Performance filed by

	<p>STUDENTS FOR FAIR ADMISSIONS, INC., 83 MOTION to Compel Production of Applicant Data filed by STUDENTS FOR FAIR ADMISSIONS, INC. For the reasons stated from the bench, 86 MOTION to Compel Production of Documents and Data Regarding Student Preparedness and Performance is hereby DENIED and 83 MOTION to Compel Production of Applicant Data is hereby GRANTED; Plaintiff's counsel instructed to prepare a proposed order for the Court's consideration no later than Friday, August 4, 2017. Plaintiff's counsel further instructed to submit the proposed order to Defendants' counsel prior to submitting the proposed order to the Court. (Attorney(s) Thomas McCarthy, Bryan Weir, and Daniel Alan Ruley appeared on behalf of plaintiff; Attorney(s) Stephanie Brennan, Michael Scudder, and Lara Flath appeared on behalf of defendants; Proceedings Recorded)</p>
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JA80

		(Kemp, Donita) (Entered: 07/27/2017)
08/04/2017	100	NOTICE of Appearance by attorney BRYAN K. WEIR on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. (WEIR, BRYAN) (Entered: 08/04/2017)
08/09/2017	101	ORDER. Signed by MAG/JUDGE JOE L. WEBSTER on 8/9/2017, that Plaintiff's Motion to Compel Production of Applicant Data (Docket Entry 83) is GRANTED, whereas plaintiff's Motion to Compel Production of Documents and Data Regarding Student Preparedness and Performance (Docket Entry 86) is DENIED. (Daniel, J) (Entered: 08/09/2017)
08/17/2017	102	Joint MOTION for Extension of Time <i>for Case Deadlines</i> by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER,



	<p>HANNAH D. GAGE, ANN B.  GOODNIGHT, PETER D.  HANS, THOMAS J.  HARRELSON, HENRY W.  HINTON, JAMES L.  HOLMES, JR, RODNEY E.  HOOD, W. MARTY KOTIS, III,  G. LEROY LAIL, SCOTT  LAMPE, STEVEN B. LONG,  JOAN G. MACNEILL, HARI  H. MATH, MARY ANN  MAXWELL, W. EDWIN  MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY.</p>
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JA82

		(Attachments: # 1 Text of Proposed Order) (SCUDDER, MICHAEL) (Entered: 08/17/2017)
08/18/2017		Motions Referred: RE: 102 Joint MOTION for Extension of Time <i>for Case Deadlines</i> , to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 08/18/2017)
08/18/2017	103	NOTICE of Association of Attorney by JON M. GREENBAUM on behalf of Intervenor Defendants LUIS ACOSTA, ANDREW BRENNAN, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY (GREENBAUM, JON) (Entered: 08/18/2017)
08/22/2017	104	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 08/22/2017, that the Motion (Docket Entry 102 )

JA83

		<p>is GRANTED and the case deadlines are extended as follows: 1. All expert discovery shall be completed by May 31, 2018. Reports required under Rule 26(a)(2)(B) and disclosures required by Rule 26(a)(2)(C) shall be due during the proposed discovery period as follows: (a) Affirmative expert reports by December 15, 2017 (b) Rebuttal expert reports by February 28, 2018 (c) Reply expert reports by April 13, 2018 (d) All trial experts shall be deposed during the period between April 13, 2018 and May 31, 2018. 2. The deadline for filing any motions for summary judgment is July 27, 2018. Briefs in opposition to summary judgment shall be due September 10, 2018, and reply briefs shall be due October 10, 2018. 3. The current trial date is continued to a date later determined by the Court. (Garland, Leah) (Entered: 08/22/2017)</p>
09/06/2017	105	NOTICE of Appearance by attorney BRENDA L. SHUM

		on behalf of Intervenor Defendants LUIS ACOSTA, ANDREW BRENNAN, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY (SHUM, BRENDA) (Entered: 09/06/2017)
10/25/2017	106	MOTION to Dismiss for Lack of Jurisdiction <i>Pursuant to FRCP 12(b)(1)</i> by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL,

		<p>W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (SCUDDER, MICHAEL) (Entered: 10/25/2017)</p>
<p>10/25/2017</p>	<p>107</p>	<p>MEMORANDUM filed by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE,</p>

	<p>ANN B. GOODNIGHT, PETER  D. HANS, THOMAS J.  HARRELSON, HENRY W.  HINTON, JAMES L.  HOLMES, JR, RODNEY E.  HOOD, W. MARTY KOTIS, III,  G. LEROY LAIL, SCOTT  LAMPE, STEVEN B. LONG,  JOAN G. MACNEILL, HARI  H. MATH, MARY ANN  MAXWELL, W. EDWIN  MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY</p>
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	<p>re 106 MOTION to Dismiss for Lack of Jurisdiction <i>Pursuant to FRCP 12(b)(1)</i> (Attachments: # 1 Exhibit 1. Excerpts of Plaintiffs Objections and Responses to Defendants First Combined Discovery Requests, # 2 Exhibit 2. Excerpts of Deposition of Edward Blum, # 3 Exhibit 3. Excerpts of Deposition of Standing Member #1 (Redacted), # 4 Exhibit 4. Excerpts of SFFA Original Bylaws, # 5 Exhibit 5. Excerpts of SFFA Amended Bylaws, # 6 Exhibit 6. Excerpts of Plaintiffs Second Amended Objections and Responses to Defendants First Combined Discovery Requests (Under Seal), # 7 Exhibit 7. Excerpts of Form 990-PF: Return of Private Foundation for The Searle Freedom Trust, 2015, # 8 Exhibit 8. Excerpts of 501(c)(3)Application of Students for Fair Admissions, # 9 Exhibit 9. Excerpt of SFFAs Articles of Incorporation) (SCUDDER, MICHAEL)</p>
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JA88

		Modified on 10/26/2017 to remove duplicate text. (Sheets, Jamie) (Entered: 10/25/2017)
10/25/2017	108	MOTION to Seal [If the party filing this motion is not the party claiming confidentiality, the party claiming confidentiality will have 14 days to file a Brief in accordance with Local Rule 5.4] by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON,



JA89

		ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (SCUDDER, MICHAEL) (Entered: 10/25/2017)
10/25/2017	109	SEALED UNREDACTED DOCUMENTS filed by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON,

		<p>HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY re 106 MOTION to Dismiss for Lack of Jurisdiction <i>Pursuant to FRCP 12(b)(1)</i>,</p>
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	<p>107 MEMORANDUM, 108 MOTION to Seal [If the party filing this motion is not the party claiming confidentiality, the party claiming confidentiality will have 14 days to file a Brief in accordance with Local Rule 5.4], (Attachments: # 1 Exhibit 1. Excerpts of Plaintiffs Objections and Responses to Defendants First Combined Discovery Requests, # 2 Exhibit 2. Excerpts of Deposition of Edward Blum, # 3 Exhibit 3. Excerpts of Deposition of Standing Member #1 (Redacted), # 4 Exhibit 4. Excerpts of SFFA Original Bylaws, # 5 Exhibit 5. Excerpts of SFFA Amended Bylaws, # 6 Exhibit 6. Excerpts of Plaintiffs Second Amended Objections and Responses to Defendants First Combined Discovery Requests (Under Seal), # 7 Exhibit 7. Excerpts of Form 990-PF: Return of Private Foundation for The Searle Freedom Trust, 2015, # 8 Exhibit 8. Excerpts of 501(c)(3) Application of Students for Fair Admissions,</p>
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JA92

		<p># 9 Exhibit 9. Excerpt of SFFAs Articles of Incorporation) (SCUDDER, MICHAEL). (Attachments: # 1 Exhibit 3. Excerpts of Deposition of Standing Member #1 (Unredacted and filed Under Seal), # 2 Exhibit 6. Excerpts of Plaintiffs Second Amended Objections and Responses to Defendants First Combined Discovery Requests (Filed Under Seal)) (SCUDDER, MICHAEL) Modified on 10/26/2017 to remove duplicate text. (Sheets, Jamie) (Entered: 10/25/2017)</p>
11/08/2017	110	<p>RESPONSE in Support re 108 MOTION to Seal [If the party filing this motion is not the party claiming confidentiality, the party claiming confidentiality will have 14 days to file a Brief in accordance with Local Rule 5.4] filed by STUDENTS FOR FAIR ADMISSIONS INC.. (Attachments: # 1 Affidavit Edward Blum) (MCCARTHY, THOMAS) (Entered: 11/08/2017)</p>

JA93

11/15/2017	111	MOTION to Seal [If the party filing this motion is not the party claiming confidentiality, the party claiming confidentiality will have 14 days to file a Brief in accordance with Local Rule 5.4] by STUDENTS FOR FAIR ADMISSIONS, INC.. Response to Motion due by 12/6/2017 (RULEY, DANIEL) (Entered: 11/15/2017)
11/15/2017	112	<i>Plaintiff's BRIEF In Support of Motion to File Under Seal.</i> (RULEY, DANIEL) (Entered: 11/15/2017)
11/15/2017	113	RESPONSE in Opposition re 106 MOTION to Dismiss for Lack of Jurisdiction <i>Pursuant to FRCP 12(b)(1)</i> filed by STEVEN B. LONG, HARI H. MATH, JAMES L. HOLMES, JR., UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, W. EDWIN MCMAHAN, THOMAS J. HARRELSON, PETER D. HANS, HENRY W. HINTON, ANNA SPANGLER NELSON,

	<p>DAVID M. POWERS, SCOTT LAMPE, W. LOUIS BISSETTE, JR., UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, RICHARD F. TAYLOR, LAURA I. WILEY, JOAN TEMPLETON PERRY, PHILLIP D. WALKER, H. FRANK FRAINGER, W. MARTY KOTIS, III, CAROL L. FOLT, HARRY LEO SMITH, JR., G. LEROY LAIL, GEORGE A. SYWASSINK, RAIFORD TRASK, III, W.G. CHAMPION MITCHELL, THOMAS W. ROSS, ALEX PARKER, JAMES W. DEAN, JR., ROGER AIKEN, JOHN C. FENNEBRESQUE, HANNAH D. GAGE, THERENCE O. PICKETT, MARY ANN MAXWELL, J. CRAIG SOUZA, UNIVERSITY OF NORTH CAROLINA, JOAN G. MACNEILL, STEPHEN M. FARMER, RODNEY E. HOOD, R. DOYLE PARRISH, ANN B. GOODNIGHT, ROBERT S. RIPPY <i>REDACTED Plaintiff's Opposition to Defendants' Motion to Dismiss</i> filed by</p>
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		<p>STUDENTS FOR FAIR ADMISSIONS, INC.. Replies due by 11/29/2017  (Attachments: # 1 REDACTED Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 REDACTED Exhibit G, # 8 REDACTED Exhibit H, # 9 REDACTED Exhibit I, # 10 REDACTED Exhibit J, # 11 REDACTED Exhibit K, # 12 REDACTED Exhibit L, # 13 REDACTED Exhibit M, # 14 REDACTED Exhibit N, # 15 Exhibit O, # 16 REDACTED Declaration)(RULEY, DANIEL) (Entered: 11/15/2017)</p>
11/15/2017	114	<p>SEALED UNREDACTED DOCUMENTS <i>PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS</i> filed by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT,</p>

	<p>PETER D. HANS, THOMAS J.  HARRELSON, HENRY W.  HINTON, JAMES L.  HOLMES, JR, RODNEY E.  HOOD, W. MARTY KOTIS, III,  G. LEROY LAIL, SCOTT  LAMPE, STEVEN B. LONG,  JOAN G. MACNEILL, HARI  H. MATH, MARY ANN  MAXWELL, W. EDWIN  MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY, Plaintiff  STUDENTS FOR FAIR  ADMISSIONS, INC..</p>
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JA97

		(Attachments: # 1 SEALED UNREDACTED Exh. A, # 2 SEALED UNREDACTED Exh. G, # 3 SEALED UNREDACTED Exh. H, # 4 SEALED UNREDACTED Exh. I, # 5 SEALED UNREDACTED Exh. J, # 6 SEALED UNREDACTED Exh. K, # 7 SEALED UNREDACTED Exh. L, # 8 SEALED UNREDACTED Exh. M, # 9 SEALED UNREDACTED Exh. N, # 10 SEALED UNREDACTED Declaration) (RULEY, DANIEL) (Entered: 11/15/2017)
11/29/2017	115	REPLY, filed by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL,

		<p>SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY, to Response to 106 MOTION to Dismiss for Lack of Jurisdiction <i>Pursuant to FRCP 12(b)(1)</i> filed by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE,</p>
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	<p>CAROL L. FOLT, H. FRANK          FRAINGER, HANNAH D.          GAGE, ANN B. GOODNIGHT,          PETER D. HANS, THOMAS J.          HARRELSON, HENRY W.          HINTON, JAMES L.          HOLMES, JR, RODNEY E.          HOOD, W. MARTY KOTIS, III,          G. LEROY LAIL, SCOTT          LAMPE, STEVEN B. LONG,          JOAN G. MACNEILL, HARI          H. MATH, MARY ANN          MAXWELL, W. EDWIN          MCMAHAN, W.G.          CHAMPION MITCHELL,          ANNA SPANGLER NELSON,          ALEX PARKER, R. DOYLE          PARRISH, JOAN          TEMPLETON PERRY,          THERENCE O. PICKETT,          DAVID M. POWERS, ROBERT          S. RIPPY, THOMAS W. ROSS,          HARRY LEO SMITH, JR,          J. CRAIG SOUZA, GEORGE A.          SYWASSINK, RICHARD F.          TAYLOR, RAIFORD TRASK,          III, UNIVERSITY OF NORTH          CAROLINA, UNIVERSITY OF          NORTH CAROLINA AT          CHAPEL HILL, UNIVERSITY          OF NORTH CAROLINA          BOARD OF GOVERNORS,</p>
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JA100

		<p>PHILLIP D. WALKER, LAURA I. WILEY. (Attachments: # 1 Exhibit 1. Not confidential, # 2 Exhibit Placer sheet (Confidential, filed under seal), # 3 Exhibit 3. Placer sheet (Confidential, filed under seal), # 4 Exhibit 4.Placer sheet (Confidential, filed under seal), # 5 Exhibit 5.Placer sheet (Confidential, filed under seal))(SCUDDER, MICHAEL) (Entered: 11/29/2017)</p>
11/29/2017	116	<p>MOTION to Seal [If the party filing this motion is not the party claiming confidentiality, the party claiming confidentiality will have 14 days to file a Brief in accordance with Local Rule 5.4] by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON,</p>

JA101

		JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (SCUDDER, MICHAEL) (Entered: 11/29/2017)
11/29/2017	117	SEALED UNREDACTED DOCUMENTS filed by

		Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA,
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	<p>UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY re 116 MOTION to Seal [If the party filing this motion is not the party claiming confidentiality, the party claiming confidentiality will have 14 days to file a Brief in accordance with Local Rule 5.4] by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL,</p>
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	<p>ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (SCUDDER, MICHAEL), 115 REPLY, filed by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR,</p>
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		<p>RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY, to Response to 106 MOTION to Dismiss for Lack of Jurisdiction <i>Pursuant to FRCP 12(b)(1)</i> filed by ROGER AIKEN, W. LOUIS BISSETTE, JR,</p>
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		JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL,
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		<p>UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (Attachments: # 1 Exhibit 1. Not confidential, # 2 Exhibit 2. Placer sheet (Confidential, filed under seal), # 3 Exhibit 3. Placer sheet (Confidential, filed under seal), # 4 Exhibit 4. Placer sheet (Confidential, filed under seal), # 5 Exhibit 5. Placer sheet (Confidential, filed under seal))(SCUDDER, MICHAEL). (Attachments: # 1 Exhibit 2. Excerpt of Plaintiff's Fourth Amended Objections and Responses, # 2 Exhibit 3. Plaintiff's Fifth Supplemental Response to Interrogatories 4 and 6, # 3 Exhibit 4. Plaintiff's Third Supplemental Response to Interrogatories 4 and 6, # 4 Exhibit 5. Plaintiff's Fourth Supplemental Response to Interrogatories 4 and 6) (SCUDDER, MICHAEL) (Entered: 11/29/2017)</p>
11/30/2017	118	<p>Joint MOTION for Extension of Time <i>for Case Deadlines</i> by STUDENTS FOR FAIR ADMISSIONS, INC..</p>

JA108

		(MCCARTHY, THOMAS) (Entered: 11/30/2017)
12/01/2017		Motion Referred: RE: 118 Joint MOTION for Extension of Time <i>for Case Deadlines</i> , to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 12/01/2017)
12/04/2017	119	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 12/4/2017, that the parties' Joint Motion for Extension of Time for Case Deadlines (Doc. 118) is GRANTED as set out herein. (Daniel, J) (Entered: 12/04/2017)
12/05/2017	120	MOTION for Leave to <i>File Surreply</i> by STUDENTS FOR FAIR ADMISSIONS, INC.. (MCCARTHY, THOMAS) (Entered: 12/05/2017)
12/05/2017	121	MEMORANDUM re 120 MOTION for Leave to <i>File Surreply</i> by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC.. (MCCARTHY, THOMAS) (Entered: 12/05/2017)

12/07/2017		Telephone Notice to/from Attorney Stephanie Brennan on 12/7/2017 Re: 120 Plaintiff's Motion for Leave to File Surreply. Counsel advised the Clerk's Office that Defendants have no position on the motion and will not be filing a response. (Blay, Debbie) (Entered: 12/07/2017)
12/07/2017		Motion Submitted: 120 MOTION for Leave to <i>File Surreply</i> to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 12/07/2017)
12/08/2017	122	ORDER signed by JUDGE LORETTA C. BIGGS on 12/8/2017, that Plaintiff's Motion (ECF No. 120) is GRANTED. Plaintiff has leave to file a Surreply to Defendants' Motion to Dismiss. (Daniel, J) (Entered: 12/08/2017)
12/12/2017	123	SURREPLY filed by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. re 106 MOTION to Dismiss for Lack of Jurisdiction <i>Pursuant to FRCP 12(b)(1)</i> filed by

JA110

		STUDENTS FOR FAIR ADMISSIONS, INC.. (MCCARTHY, THOMAS) (Entered: 12/12/2017)
12/13/2017	124	RESPONSE in Support re 110 Response in Support of Motion, 108 MOTION to Seal [If the party filing this motion is not the party claiming confidentiality, the party claiming confidentiality will have 14 days to file a Brief in accordance with Local Rule 5.4] <i>Plaintiff's Brief in Support of Motion to File Under Seal</i> filed by STUDENTS FOR FAIR ADMISSIONS, INC.. Replies due by 12/27/2017 (RULEY, DANIEL) (Entered:12/13/2017)
12/15/2017	125	Corrected document re 124 Response in Support of Motion,. (RULEY, DANIEL) (Entered: 12/15/2017)
12/21/2017		Motions Submitted: 106 MOTION to Dismiss for Lack of Jurisdiction <i>Pursuant to FRCP 12(b)(1)</i> , 108 MOTION to Seal, 111 MOTION to Seal, 116 MOTION to Seal to JUDGE LORETTA C. BIGGS.

JA111

		(Blay, Debbie) (Entered: 12/21/2017)
01/30/2018	126	STIPULATION <i>and Motion to Permit Defendant-Intervenors Access to Certain Confidential Information (Joint)</i> by LUIS ACOSTA, ROGER AIKEN, W. LOUIS BISSETTE, JR, ANDREW BRENNAN, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, CHRISTOPHER JACKSON, RAMONIA JONES, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, ANGIE MILLS, KEVIN MILLS, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON,

JA112

		JULIA NIEVES, LAURA ORNELAS, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, CECILIA POLANCE, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY, TAMIKA WILLIAMS, STAR WINGATE-BEY. (Attachments: # 1 Exhibit 1)(FLATH, LARA) (Entered: 01/30/2018)
02/08/2018		Motion Referred: RE: 126 Motion to Permit Defendant-Intervenors Access to Certain Confidential Information, to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 02/08/2018)



## JA113

02/09/2018	127	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 2/9/2018. The Joint Stipulation and Motion to Permit Defendant-Intervenors Access to Certain Confidential Information (Docket Entry 126) is GRANTED. (Daniel, J) (Entered: 02/09/2018)
03/07/2018	128	Joint MOTION for Extension of Time <i>for Case Deadlines</i> by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Text of Proposed Order)(RULEY, DANIEL) (Entered: 03/07/2018)
03/07/2018		Motion Referred: RE: 128 Joint MOTION for Extension of Time <i>for Case Deadlines</i> , to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 03/07/2018)
03/13/2018	129	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 3/13/2018. The parties' Joint Motion for Extension of Time for Case Deadlines (Docket Entry 128) is GRANTED as set out

		<p>herein. Expert Discovery due by 7/23/2018. Motions for summary judgment due by 9/21/2018; Briefs in opposition due by 11/5/2018; Reply Briefs due by 12/5/2018. There will be no further extensions and this case shall be placed on the United States District Judge Loretta C. Biggs' first available Civil Master in 2019. (Daniel, J) (Entered: 03/13/2018)</p>
03/16/2018	130	<p>NOTICE of Hearing: Master Trial Calendar: APRIL Jury Trial set for 4/1/2019 at 09:30 AM in Unassigned Courtroom. Trial Briefs, etc. deadline set for 3/11/2019.(Blay, Debbie) (Entered: 03/16/2018)</p>
05/16/2018	131	<p>MOTION to Withdraw as Attorney MICHAEL YALE SCUDDER by on behalf of ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS,</p>

	<p>THOMAS J. HARRELSON,  HENRY W. HINTON, JAMES  L. HOLMES, JR, RODNEY E.  HOOD, W. MARTY KOTIS, III,  G. LEROY LAIL, SCOTT  LAMPE, STEVEN B. LONG,  JOAN G. MACNEILL, HARI  H. MATH, MARY ANN  MAXWELL, W. EDWIN  MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY.  (Attachments: # 1 Text of  Proposed Order)</p>
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JA116

		(SCUDDER, MICHAEL) (Entered: 05/16/2018)
05/17/2018		Motion Referred: RE: 131 MOTION to Withdraw as Attorney MICHAEL YALE SCUDDER , to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 05/17/2018)
05/22/2018		TEXT ORDER granting 131 Motion to Withdraw as Attorney. Attorney MICHAEL YALE SCUDDER is withdrawn as counsel for Defendants and is discharged from any further duties or responsibilities herein. Issued by MAG/JUDGE JOE L. WEBSTER on 5/22/2018. (Lee, Pedra) (Entered: 05/22/2018)
05/31/2018	132	NOTICE of Appearance by attorney JAMIE L. CROOK on behalf of Intervenor Defendants LUIS ACOSTA, ANDREW BRENNAN, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY

JA117

		(CROOK, JAMIE) (Entered: 05/31/2018)
06/01/2018	133	NOTICE of Appearance by attorney PATRICK J. FITZGERALD on behalf of Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS,

		<p>HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY  (FITZGERALD, PATRICK)  (Entered: 06/01/2018)</p>
06/14/2018	134	<p>NOTICE OF WITHDRAWAL  AND SUBSTITUTION OF  COUNSEL on behalf of  Defendants ROGER AIKEN,  W. LOUIS BISSETTE, JR,  JAMES W. DEAN, JR,  STEPHEN M. FARMER,  JOHN C. FENNEBRESQUE,  CAROL L. FOLT, H. FRANK  FRAINGER, HANNAH D.  GAGE, ANN B. GOODNIGHT,  PETER D. HANS, THOMAS J.  HARRELSON, HENRY W.  HINTON, JAMES L.  HOLMES, JR, RODNEY E.  HOOD, W. MARTY KOTIS, III,  G. LEROY LAIL, SCOTT  LAMPE, STEVEN B. LONG,</p>

JA119

		<p>JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. NORA F. SULLIVAN is substituted as counsel for Defendants. Attorney MATTHEW T. TULCHIN terminated. (SULLIVAN, NORA) (Entered: 06/14/2018)</p>
07/27/2018	135	STIPULATION ( <i>Joint</i> ) by ROGER AIKEN,

		W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT
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		CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FLATH, LARA) (Entered: 07/27/2018)
08/03/2018	136	MOTION to Exclude <i>Late-Designated Witnesses and Late-Produced Documents</i> by STUDENTS FOR FAIR ADMISSIONS, INC.. Response to Motion due by 8/24/2018 (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9) (RULEY, DANIEL) (Entered: 08/03/2018)
08/03/2018	137	Additional Attachments to Main Document re 136 MOTION to Exclude <i>Late-Designated Witnesses and Late-Produced Documents (TEXT OF PROPOSED ORDER)</i> . (RULEY, DANIEL) (Entered: 08/03/2018)
08/03/2018	138	BRIEF re 136 MOTION to Exclude <i>Late-Designated Witnesses and Late-Produced Documents</i> by Plaintiff

JA122

		STUDENTS FOR FAIR ADMISSIONS, INC. filed by STUDENTS FOR FAIR ADMISSIONS, INC.. (RULEY, DANIEL) (Entered: 08/03/2018)
08/03/2018	139	<i>PLAINTIFF'S BRIEF</i> re 136 MOTION to Exclude <i>Late-Designated Witnesses and Late Produced Documents</i> by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. filed by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9) (RULEY, DANIEL) (Entered: 08/03/2018)
08/21/2018	140	MOTION to Withdraw as Attorney JAMIE L. CROOK by on behalf of LUIS ACOSTA, ANDREW BRENNAN, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY.

JA123

		Responses due by 9/11/2018 (Attachments: # 1 Text of Proposed Order Granting Motion to Withdraw as Counsel) (CROOK, JAMIE) (Entered: 08/21/2018)
08/21/2018	141	NOTICE of Appearance by attorney GENEVIEVE B. TORRES on behalf of Intervenor Defendants LUIS ACOSTA, ANDREW BRENNAN, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY (TORRES, GENEVIEVE) (Entered: 08/21/2018)
08/22/2018		Motion Referred: RE: 140 MOTION to Withdraw as Attorney JAMIE L. CROOK, to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 08/22/2018)
08/22/2018	142	Joint MOTION to Exceed Page Limit ( <i>Word Count Limitation</i> ) by ROGER AIKEN,

		W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT
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JA125

		CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (Attachments: # 1 Text of Proposed Order)(FLATH, LARA) (Entered: 08/22/2018)
08/22/2018	143	Joint MOTION for Removal of <i>Jury Trial from April Master Calendar</i> by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER,

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		<p>R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (Attachments: # 1 Text of Proposed Order)(FLATH, LARA) (Entered: 08/22/2018)</p>
08/22/2018		<p>Motions Submitted: 142 Joint MOTION to Exceed Page Limit (<i>Word Count Limitation</i>), 143 Joint MOTION for Removal of <i>Jury Trial from April Master Calendar</i> to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 08/22/2018)</p>
08/23/2018		<p>TEXT ORDER granting 140 Motion to Withdraw as Attorney.</p>

JA127

		Attorney JAMIE L. CROOK is withdrawn as counsel for Defendants-Intervenors and is discharged from any further duties or responsibilities herein. Issued by MAG/JUDGE JOE L. WEBSTER on 8/23/2018. (Lee, Pedra) (Entered: 08/23/2018)
08/24/2018	144	RESPONSE in Opposition re 136 MOTION to Exclude <i>Late-Designated Witnesses and Late-Produced Documents</i> filed by STUDENTS FOR FAIR ADMISSIONS, INC. filed by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH,

	<p>MARY ANN MAXWELL,  W. EDWIN MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY. Replies due  by 9/7/2018 (Attachments: # 1  Exhibit 1, # 2 Exhibit 2, # 3  Exhibit 3, # 4 Exhibit 4, # 5  Exhibit 5, # 6 Exhibit 6, # 7  Exhibit 7, # 8 Exhibit 8, # 9  Exhibit 9, # 10 Exhibit 10, # 11  Exhibit 11, # 12 Exhibit 12,  # 13 Exhibit 13, # 14 Exhibit  14, # 15 Exhibit 15, # 16  Exhibit 16, # 17 Exhibit 17, #  18 Exhibit 18, # 19 Exhibit 19)</p>
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JA129

		(COMBS, MARIANNE) (Entered: 08/24/2018)
08/28/2018	145	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 8/28/2018. The Joint Motion to Extend Limitation on Length of Briefs, (ECF No. 142) is GRANTED IN PART. Plaintiff and UNC-Defendants may file briefs in support of any motion for summary judgment and responsive briefs of no more than 9,500 words each. (Daniel, J) (Entered: 08/28/2018)
08/28/2018	146	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 8/28/2018. The Joint Motion to Remove Case from April Master Calendar, (ECF No. 143) is GRANTED and the case shall proceed as stated herein. (Daniel, J) (Entered: 08/28/2018)
09/06/2018	147	REPLY, filed by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC., to Response to 136 MOTION to Exclude <i>Late-Designated Witnesses and Late-Produced Documents</i> filed by STUDENTS FOR FAIR

JA130

		ADMISSIONS, INC.. (Attachments: # 1 Exhibit) (RULEY, DANIEL) (Entered: 09/06/2018)
09/06/2018		Motion Referred: RE: 136 MOTION to Exclude <i>Late-Designated Witnesses and Late-Produced Documents</i> , to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 09/06/2018)
09/10/2018	148	MOTION to Expedite <i>Consideration of Plaintiff's Motion to Exclude Late-Designated Witnesses and Late-Produced Documents</i> by STUDENTS FOR FAIR ADMISSIONS, INC.. (RULEY, DANIEL) (Entered: 09/10/2018)
09/11/2018		Telephone call to/from Attorney Stephanie Brennan on 9/11/2018, Re: 148 Motion to Expedite. She advised the Clerk's Office that they take no position and will not be filing a response. (Blay, Debbie) (Entered: 09/11/2018)

JA131

09/11/2018		Motion Referred: RE: 148 MOTION to Expedite <i>Consideration of Plaintiff's Motion to Exclude Late-Designated Witnesses and Late-Produced Documents</i> , to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 09/11/2018)
09/17/2018		Email notification on 9/17/2018 to all counsel on record re: Telephone Conference set for 9/18/2018 10:00 AM with MAG/JUDGE JOE L. WEBSTER. Parties emailed instructions for initiating call. (Garrett, Kim) (Entered: 09/17/2018)
09/18/2018		Minute Entry for proceedings held before MAG/JUDGE JOE L. WEBSTER: Telephone Conference held on 9/18/2018. Attorneys Daniel Alan M. Ruley and Patrick Strawbridge present for Plaintiff. Attorneys Patrick J. Fitzgerald, Stephanie A. Brennan, Lara A. Flath and Marianne H. Combs present for Defendants. Attorney Laura J. Gaztambide-Arandes present

	<p>for Intervenor Defendants. By virtue of the telephone conference, the Court granted 148 Plaintiffs Motion for Expedited Consideration of Plaintiffs Motion to Exclude Late-Designated Witnesses and Late-Produced Documents. Parties discussed 136 Plaintiffs Motion to Exclude Late-Designated Witnesses and Late-Produced Documents. The parties stated that they had not further discussed the motion since the scheduling of the telephone conference; however, by notation in the parties briefs, the issues now pending in the motion are limited to whether one late-designated witness, Provost Robert Blouin, should be limited in his testimony as a fact witness, and whether Defendants late-produced documents should be excluded. The parties maintain their positions with regard to the motion. The parties confirmed that a trial date in this matter is not set at this time. The Court took this matter under advisement.</p>
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JA133

		Written order upon ruling on 136 Motion forthcoming. (Garrett, Kim) (Entered: 09/18/2018)
09/18/2018		<b>TEXT ORDER</b> by MAG/JUDGE JOE L. WEBSTER granting 148 Plaintiffs Motion for Expedited Consideration of Plaintiffs Motion to Exclude Late-Designated Witnesses and Late-Produced Documents. See Minute Entry dated 9/18/2018.(Garrett, Kim) (Entered: 09/18/2018)
09/19/2018	149	<b>ORDER</b> signed by MAG/JUDGE JOE L. WEBSTER on 9/19/2018. Plaintiff's Motion to Exclude Late-Designated Witnesses and Late-Produced Documents (Docket Entry 136) is DENIED. FURTHER, that discovery shall be reopened for the limited purpose of allowing Plaintiff an opportunity to make appropriate discovery requests, depose the UNC officials who authored or created the late-disclosed documents, and submit

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		supplemental expert reports addressing them. As such, the limited discovery shall be completed no later than Wednesday, December 19, 2018, and summary judgment motions shall be filed no later than Friday, January 18, 2019. (Daniel, J) (Entered: 09/19/2018)
09/19/2018		Set/Reset Scheduling Order Deadlines. Limited Discovery due by 12/19/2018. Summary Judgment Motions due by 1/18/2019. (Daniel, J) (Entered: 09/19/2018)
09/29/2018	150	<b>MEMORANDUM OPINION AND ORDER DENYING 106 Motion to Dismiss for Lack of Jurisdiction; GRANTING 108 Motion to Seal; GRANTING 111 Motion to Seal; GRANTING 116 Motion to Seal. Signed by JUDGE LORETTA C. BIGGS on 09/29/2018. (Samuel-Priestley, Tina) (Entered: 09/29/2018)</b>
01/17/2019	151	NOTICE of Appearance by attorney AMY L. VAN GELDER on behalf of

		Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF
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		NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY (VAN GELDER, AMY)(Entered: 01/17/2019)
01/18/2019	152	MOTION for Summary Judgment by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL,



JA137

		<p>ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FITZGERALD, PATRICK) (Entered: 01/18/2019)</p>
01/18/2019	153	<p>MEMORANDUM filed by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS,</p>

		THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY re 152 MOTION for Summary Judgment filed by ROGER AIKEN,
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		W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF
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		NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FITZGERALD, PATRICK) (Entered: 01/18/2019)
01/18/2019	154	Additional Attachments to Main Document re 153 Memorandum,,,,, . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35)

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		(FITZGERALD, PATRICK) (Entered: 01/18/2019)
01/18/2019	155	Additional Attachments to Main Document re 153 Memorandum,,,,, . (Attachments: # 1 Exhibit 36, # 2 Exhibit 37, # 3 Exhibit 38, # 4 Exhibit 39, # 5 Exhibit 40, # 6 Exhibit 41, # 7 Exhibit 42, # 8 Exhibit 43, # 9 Exhibit 44, # 10 Exhibit 45, # 11 Exhibit 46, # 12 Exhibit 47, # 13 Exhibit 48)(FITZGERALD, PATRICK) (Entered: 01/18/2019)
01/18/2019	156	Additional Attachments to Main Document re 153 Memorandum,,,,, . (Attachments: # 1 Exhibit 49, # 2 Exhibit 50, # 3 Exhibit 51, # 4 Exhibit 52, # 5 Exhibit 53, # 6 Exhibit 54, # 7 Exhibit 55, # 8 Exhibit 56, # 9 Exhibit 57, # 10 Exhibit 58, # 11 Exhibit 59, # 12 Exhibit 60, # 13 Exhibit 61, # 14 Exhibit 62, # 15 Exhibit 63, # 16 Exhibit 64) (FITZGERALD, PATRICK) (Entered: 01/18/2019)

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01/18/2019	157	Additional Attachments to Main Document re 153 Memorandum,,,,, . (Attachments: # 1 Exhibit 65, # 2 Exhibit 66, # 3 Exhibit 67, # 4 Exhibit 68, # 5 Exhibit 69, # 6 Exhibit 70, # 7 Exhibit 71, # 8 Exhibit 72, # 9 Exhibit 73, # 10 Exhibit 74, # 11 Exhibit 75, # 12 Exhibit 76, # 13 Exhibit 77, # 14 Exhibit 78, # 15 Exhibit 79, # 16 Exhibit 80, # 17 Exhibit 81, # 18 Exhibit 82, # 19 Exhibit 83, # 20 Exhibit 84, # 21 Exhibit 85, # 22 Exhibit 86, # 23 Exhibit 87, # 24 Exhibit 88, # 25 Exhibit 89, # 26 Exhibit 90, # 27 Exhibit 91, # 28 Exhibit 92, # 29 Exhibit 93) (FITZGERALD, PATRICK) (Entered: 01/18/2019)
01/18/2019	158	MOTION for Summary Judgment <i>Pursuant to Rule 56</i> by STUDENTS FOR FAIR ADMISSIONS, INC.. Response to Motion due by 2/19/2019 (RULEY, DANIEL) (Entered: 01/18/2019)
01/18/2019	159	BRIEF re 158 MOTION for Summary Judgment

JA143

		<i>Pursuant to Rule 56.</i> (RULEY, DANIEL) (Entered: 01/18/2019)
01/18/2019	160	DECLARATION filed by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. re 158 MOTION for Summary Judgment <i>Pursuant to Rule 56 of Peter Arcidiacono</i> filed by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(RULEY, DANIEL) (Entered: 01/18/2019)
01/18/2019	161	DECLARATION of Richard Kahlenberg filed by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. re 158 MOTION for Summary Judgment <i>Pursuant to Rule 56</i> filed by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(RULEY, DANIEL) (Entered: 01/18/2019)
01/18/2019	162	Additional Attachments to Main Document re 153 Memorandum,,,,, . (Attachments: # 1 Exhibit 94,

		# 2 Exhibit 95, # 3 Exhibit 96, # 4 Exhibit 97, # 5 Exhibit 98, # 6 Exhibit 99, # 7 Exhibit 100, # 8 Exhibit 101, # 9 Exhibit 102, # 10 Exhibit 103, # 11 Exhibit 104, # 12 Exhibit 105, # 13 Exhibit 106, # 14 Exhibit 107, # 15 Exhibit 108, # 16 Exhibit 109, # 17 Exhibit 110, # 18 Exhibit 111, # 19 Exhibit 112, # 20 Exhibit 113, # 21 Exhibit 114, # 22 Exhibit 115, # 23 Exhibit 116, # 24 Exhibit 117, # 25 Exhibit 118, # 26 Exhibit 119, # 27 Exhibit 120, # 28 Exhibit 121, # 29 Exhibit 122, # 30 Exhibit 123, # 31 Exhibit 124, # 32 Exhibit 125)(FITZGERALD, PATRICK) (Entered: 01/18/2019)
01/18/2019	163	DECLARATION of THOMAS McCARTHY filed by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. re 158 MOTION for Summary Judgment <i>Pursuant to Rule 56</i> filed by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit,



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		# 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit, # 30 Exhibit, # 31 Exhibit, # 32 Exhibit, # 33 Exhibit, # 34 Exhibit, # 35 Exhibit, # 36 Exhibit, # 37 Exhibit, # 38 Exhibit)(RULEY, DANIEL) (Entered: 01/18/2019)
01/18/2019	164	Additional Attachments to Main Document re 153 Memorandum,,,,, . (Attachments: # 1 Exhibit 126) (FITZGERALD, PATRICK) (Entered: 01/18/2019)
01/18/2019	165	Additional Attachments to Main Document re 163 Declaration,, <i>Exhs 39 - 42</i> . (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(RULEY, DANIEL) (Entered: 01/18/2019)

## JA146

01/18/2019	166	Additional Attachments to Main Document re 163 Declaration,, <i>Exhs 43-49 and 56-65</i> . (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Errata, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit)(RULEY, DANIEL) (Entered: 01/18/2019)
01/18/2019	167	Additional Attachments to Main Document re 163 Declaration,, <i>Exhs 66-77</i> . (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit)(RULEY, DANIEL) (Entered: 01/18/2019)
01/18/2019	168	MOTION for Leave to <i>File a Brief as Amici Curiae in Support of Defendants' Motion for Summary Judgment</i> by ARCELORMITTAL USA LLC, ARIEL INVESTMENTS LLC,

	<p>CAPITOL BROADCASTING COMPANY, INC., CISCO SYSTEMS, INC., CUMMINS INC., DUKE UNIVERSITY HEALTH SYSTEM, INC., EBAY INC., ELI LILLY AND COMPANY, ENTERGY CORPORATION, ERNST &amp; YOUNG, GENERAL MOTORS LLC, GLAXOSMITHKLINE LLC, THE HERSHEY COMPANY, HP INC., IBM CORPORATION, IKEA RETAIL US LLC, KPMG LLP, MICROSOFT CORPORATION, NATIONAL ASSOCIATION FOR STOCK CAR AUTO RACING, INC., PAYPAL HOLDINGS, INC., PEPSICO, INC., RED HAT, INC., THE REDWOODS GROUP, INC., REPLACEMENTS, LTD., RESEARCH TRIANGLE INSTITUTE, TAKEDA PHARMACEUTICALS U.S.A., INC., UNITED AIRLINES, INC., YUM! BRANDS, INC..</p> <p>Responses due by 2/8/2019          (Attachments: # 1 Exhibit Brief as Amici Curiae (Conditionally Filed), # 2 Exhibit 1. Nielsen Report, # 3 Exhibit 2. McKinsey Report,</p>
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JA148

		# 4 Exhibit 3. Herring Report, # 5 Text of Proposed Order) (FELDMAN, STEPHEN) (Entered: 01/18/2019)
01/18/2019	169	Additional Attachments to Main Document re 163 Declaration,, <i>Exh 78</i> . (RULEY, DANIEL) (Entered: 01/18/2019)
01/18/2019	170	MOTION to Seal [If the party filing this motion is not the party claiming confidentiality, the party claiming confidentiality will have 14 days to file a Brief in accordance with Local Rule 5.4] by STUDENTS FOR FAIR ADMISSIONS, INC.. Response to Motion due by 2/8/2019 (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(RULEY, DANIEL) (Entered: 01/18/2019)
01/18/2019	171	<b>PERMANENTLY SEALED</b> EXHIBITS re 170 MOTION to Seal [If the party filing this motion is not the party claiming confidentiality, the party claiming confidentiality will have 14 days to file a Brief in accordance with

JA149

		Local Rule 5.4] by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC., Defendants UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF TRUSTEES. (Attachments: # 1 Exhibit, # 2 Exhibit) (RULEY, DANIEL) Modified on 10/1/2019 to mark as permanently sealed per 190 Memorandum Opinion and Order. (Sheets, Jamie) (Entered: 01/18/2019)
01/24/2019	172	Joint MOTION for Extension of Time for <i>Remaining Summary Judgment Briefing</i> by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD,

		<p>W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY.                  (Attachments: # 1 Text of Proposed Order)(FLATH, LARA) (Entered: 01/24/2019)</p>
<p>01/24/2019</p>		<p>Motion Referred: RE: 172 Joint MOTION for Extension of Time <i>for Remaining Summary</i></p>

JA151

		<i>Judgment Briefing</i> , to MAG/JUDGE JOE L. WEBSTER. (Blay , Debbie) (Entered: 01/24/2019)
01/24/2019		<b>TEXT ORDER</b> granting 172 Motion for Extension of Time for Remaining Summary Judgment Briefing. For good cause shown, any briefs in opposition to motions for summary judgment shall be due March 4, 2019 and any reply briefs shall be due April 4, 2019. Issued by MAG/JUDGE JOE L. WEBSTER on 1/24/2019.(Lee, Pedra) (Entered: 01/24/2019)
01/24/2019		Set/Reset Deadlines re: 152 MOTION for Summary Judgment and 158 MOTION for Summary Judgment. Responses due by 3/4/2019; Replies due by 4/4/2019. (Daniel, J) (Entered: 01/25/2019)
02/01/2019	173	RESPONSE in Support re 170 MOTION to Seal [If the party filing this motion is not the party claiming confidentiality, the party claiming confidentiality will have 14

	<p>days to file a Brief in accordance with Local Rule 5.4] filed by ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, UNIVERSITY OF</p>
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JA153

		NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FLATH, LARA) (Entered: 02/01/2019)
02/12/2019		Motion Submitted: 168 MOTION for Leave to <i>File a Brief as Amici Curiae in Support of Defendants' Motion for Summary Judgment</i> to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 02/12/2019)
02/13/2019	174	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 2/12/2019. The motion for leave to file a brief as <i>amici curiae</i> in support of Defendants' motion for summary judgment (Doc. 168) is GRANTED. (Daniel, J) (Entered: 02/13/2019)
03/04/2019	175	RESPONSE in Opposition re 158 MOTION for Summary Judgment <i>Pursuant to Rule 56</i> filed by STUDENTS FOR FAIR ADMISSIONS, INC. filed by ROGER AIKEN,

		W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT
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JA155

		CHAPEL HILL UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FITZGERALD, PATRICK) (Entered: 03/04/2019)
03/04/2019	176	Additional Attachments to Main Document re 175 Response in Opposition to Motion,,, . (Attachments: # 1 Exhibit 127, # 2 Exhibit 128, # 3 Exhibit 129, # 4 Exhibit 130, # 5 Exhibit 131, # 6 Exhibit 132)(FITZGERALD, PATRICK) (Entered: 03/04/2019)
03/04/2019	177	<i>Opposition</i> BRIEF re 152 MOTION for Summary Judgment by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. filed by STUDENTS FOR FAIR ADMISSIONS, INC..(RULEY, DANIEL) (Entered: 03/04/2019)
03/04/2019	178	MOTION for Leave to File by 18MillionRising.org, AAPIs for Civic Empowerment Education Fund, After Bruce, American Citizens for Justice,

JA156

		American Muslim Voice Foundation, Asian Pacific Islander Americans for Civic Empowerment (APACE), API Equality - Northern California, Arab American Action Network, Arizona Asian & Pacific Islander American Vote Table, Asian & Latino Solidarity Alliance of Central Virginia, Asian American Legal Defense and Education Fund, Asian American Political Alliance (AAPA), University of California, Berkeley, Asian Community Development Council (ACDC), Asian Counseling and Referral Service, Asian Law Alliance, Asian Pacific American Bar Association of Los Angeles County, Asian Pacific American Labor Alliance (APALA), AFL-CIO, Asian Pacific Policy and Planning Council, Asian/Pacific Islander Law Students Association at University of California, Los Angeles School of Law, Association for Asian American Yale Alumni (AAAYA), Baltimore Asian Resistance in Solidarity, Berkeley Law
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JA157

		Asian Pacific American Law Students Association (APALSA), Chinese American Citizens Alliance (C.A.C.A.), Los Angeles Chapter, Chinese American Progressive Action, Chinese for Affirmative Action (CAA), Chinese Progressive Association, Claremont South Asian Student Association, Coalition for a Diverse Harvard, Coalition for Asian American Children and Families (CACF), Council on American-Islamic Relations, California, Duke Asian American Studies Program, Duke Asian Students Association, East Coast Asian American Student Union, Empowering Pacific Islander Communities, GAPIMNY - Empowering Queer & Trans Asian Pacific Islanders, Harvard Asian American Women's Association, Harvard Vietnamese Association, Jakara Movement, Japanese Americans Citizens League, Lambda Phi Epsilon at North Carolina State University, MinKwon Center for Community Action,
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	<p>Muslim Student Association West (MSA West), National Asian Pacific American Families Against Substance Abuse (NAPAFASA), National Asian Pacific American Women’s Forum, National Council of Asian Pacific Americans (NCAPA), National Queer Asian Pacific Islander Alliance (NQAPIA), National Tongan American Society (NTAS), New Mexico Asian Family Center, North Carolina Asian Americans Together, North Carolina State University Asian Students in Alliance, OCA - Asian Pacific American Advocates, OCA Greater Phoenix, Pacific Islander Health Partnership, Pilipino American Law Society at Berkeley Law, Pilipino Workers Center of Southern California, Reappropriate, South Asian Americans Leading Together (SAALT), South Asian Law Students Association at the University of Michigan Law School, Southeast Asia Resource Action Center (SEARAC),</p>
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	<p>Task Force on Asian and Pacific American Studies at Harvard College (TAPAS), Third World Liberation Front (TWLF), University of California, Berkeley, Third World Liberation Front '69 Ad Hoc Committee, U.S. Palestinian Community Network (USPCN), University of California, Los Angeles South Asian Law Students Association, University of North Carolina Alpha Kappa Delta Phi, University of North Carolina Asian American Law Students Association, University of North Carolina - Chapel Hill Asian American Students Association, University of North Carolina - Chapel Hill Campus Y Executive Board, Union of North American Vietnamese Student Associations, University of Michigan, Asian Pacific American Law Students Association, University of Pennsylvania Asian Pacific Student Coalition, Vietnamese American Bar Association of Southern California,</p>
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JA160

		<p>C. Casey Ozaki, C.N. Le, Cheryl D. Ching, Corinne Kodama, David Hoa Khoa Nguyen, Dian Squire, Christin DePouw , Jennifer Ho, stephanie kim, Janelle Wong, Julie J. Park, Kevin Kumashiro, Liliana M. Garces, Liza A. Talusan, Marc Johnston-Guerrero, Min Zhou, Nancy Leong, Oiyan Poon, Sunaina Maira, Matthew Witenstein, Varaxy Yi Borromeo, Asian Americans Advancing Justice, Advancing Justice - Los Angeles, Advancing Justice - Asian Law Caucus, Advancing Justice - AAJC, Advancing Justice - Atlanta, Advancing Justice - Chicago. Response to Motion due by 3/25/2019 (Attachments: # 1 Exhibit Proposed brief, # 2 Text of Proposed Order proposed order granting motion for leave to file amicus) (LEERBERG, MATTHEW) (Entered: 03/04/2019)</p>
03/04/2019	179	<p>RESPONSE in Opposition re 158 MOTION for Summary Judgment <i>Pursuant to Rule 56</i> filed by STUDENTS FOR</p>



	<p>FAIR ADMISSIONS, INC. filed by ANDREW BRENNAN, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LUIS ACOSTA, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY. Replies due by 3/18/2019 (Attachments: # 1 Exhibit A - Declaration of L. Gaztambide-Arandes, # 2 Exhibit 1 - Declaration of L. Ornelas, # 3 Exhibit 2 - Declaration of L. Acosta, # 4 Exhibit 3 - Declaration of C. Polanco, # 5 Exhibit 4 - Declaration of A. Brennen, # 6 Exhibit 5 - Declaration of S. Scarbrough, # 7 Exhibit 6 - Declaration of H. Watson, # 8 Exhibit 7 - Declaration of D. Gatewood, # 9 Exhibit 8 - Declaration of L. Dyer, # 10 Exhibit 9 - Declaration of K. Ward, # 11 Exhibit 10 - Declaration of J. Mencia, # 12 Exhibit 11 - Declaration of P. Zeigler, # 13 Exhibit 12 - Declaration of G. Parker, # 14 Exhibit 13 - Expert Report of</p>
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		<p>Dr. Cecelski, # 15 Exhibit 14 - Rebuttal Report of R. Kahlenberg by Dr. Chang, # 16 Exhibit 15 - Declaration of V. Newsome Hayes, # 17 Exhibit 16 - Declaration of S. Wingate-Bey, # 18 Exhibit 17 - Declaration of A. Douglass, # 19 Exhibit 18 - Declaration of D. Dwyer, # 20 Exhibit 19 - Declaration of A. Frazier, # 21 Exhibit 20 - Declaration of M. Gomez Flores, # 22 Exhibit 21 - Declaration of S. Searles, # 23 Exhibit 22 - Declaration of R. Mwamba, # 24 Exhibit 23 - Declaration of P. White) (GAZTAMBIDE-ARANDES, LAURA) (Entered: 03/04/2019)</p>
03/05/2019	180	<p><i>CORRECTED</i> BRIEF re 178 MOTION for Leave to File by Amicus Parties Advancing Justice - Chicago, Advancing Justice - Los Angeles, After Bruce, American Citizens for Justice, American Muslim Voice Foundation, Arab American Action Network, Arizona Asian &amp; Pacific Islander American Vote Table, Asian &amp; Latino Solidarity Alliance of Central Virginia,</p>

	<p>Asian American Legal Defense and Education Fund, Asian American Political Alliance (AAPA), University of California, Berkeley, Asian Americans Advancing Justice, Asian Community Development Council (ACDC), Asian Counseling and Referral Service, Asian Law Alliance, Asian Pacific American Bar Association of Los Angeles County, Asian Pacific American Labor Alliance (APALA), AFL-CIO, Asian Pacific Islander Americans for Civic Empowerment (APACE), Asian Pacific Policy and Planning Council, Asian/Pacific Islander Law Students Association at University of California, Los Angeles School of Law, Association for Asian American Yale Alumni (AAAYA), Baltimore Asian Resistance in Solidarity, Berkeley Law Asian Pacific American Law Students Association (APALSA), Varaxy Yi Borrromeo, Chinese American Citizens Alliance (C.A.C.A.), Los Angeles Chapter, Chinese American</p>
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JA164

		<p>Progressive Action, Chinese Progressive Association, Chinese for Affirmative Action (CAA), Cheryl D. Ching, Claremont South Asian Student Association, Coalition for Asian American Children and Families (CACF), Coalition for a Diverse Harvard, Council on American-Islamic Relations, California, Christin DePouw, Duke Asian American Studies Program, Duke Asian Students Association, East Coast Asian American Student Union, Empowering Pacific Islander Communities, GAPIMNY - Empowering Queer &amp; Trans Asian Pacific Islanders, Liliana M. Garces, Harvard Asian American Women's Association, Harvard Vietnamese Association, Jennifer Ho, Jakara Movement, Japanese Americans Citizens League, Marc Johnston-Guerrero, Corinne Kodama, Kevin Kumashiro, Lambda Phi Epsilon at North Carolina State University, C.N. Le, Nancy Leong, Sunaina Maira,</p>
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JA165

		<p>MinKwon Center for Community Action, Muslim Student Association West (MSA West), National Asian Pacific American Families Against Substance Abuse (NAPAFASA), National Asian Pacific American Women's Forum, 18MillionRising.org, AAPIs for Civic Empowerment Education Fund, API Equality Northern California, Advancing Justice - AAJC, Advancing Justice - Asian Law Caucus, Advancing Justice - Atlanta, National Council of Asian Pacific Americans (NCAPA), National Queer Asian Pacific Islander Alliance (NQAPIA), National Tongan American Society (NTAS), New Mexico Asian Family Center, David Hoa Khoa Nguyen, North Carolina Asian Americans Together, North Carolina State University Asian Students in Alliance, OCA - Asian Pacific American Advocates, OCA Greater Phoenix, C. Casey Ozaki, Pacific Islander Health Partnership, Julie J. Park,</p>
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	<p>         Pilipino American Law Society at Berkeley Law, Pilipino Workers Center of Southern California, Oiyen Poon, Reappropriate, South Asian Americans Leading Together (SAALT), South Asian Law Students Association at the University of Michigan Law School, Southeast Asia Resource Action Center (SEARAC), Dian Squire, Liza A. Talusan, Task Force on Asian and Pacific American Studies at Harvard College (TAPAS), Third World Liberation Front (TWLF), University of California, Berkeley, Third World Liberation Front '69 Ad Hoc Committee, U.S. Palestinian Community Network (USPCN), Union of North American Vietnamese Student Associations, University of California, Los Angeles South Asian Law Students Association, University of Michigan, Asian Pacific American Law Students Association, University of North Carolina - Chapel Hill       </p>
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JA167

		Asian American Students Association, University of North Carolina - Chapel Hill Campus Y Executive Board, University of North Carolina Alpha Kappa Delta Phi, University of North Carolina Asian American Law Students Association, University of Pennsylvania Asian Pacific Student Coalition, Vietnamese American Bar Association of Southern California, Matthew Witenstein, Janelle Wong, Min Zhou, stephanie kim filed by Advancing Justice - Chicago, Advancing Justice - Los Angeles, After Bruce, American Citizens for Justice, American Muslim Voice Foundation, Arab American Action Network, Arizona Asian & Pacific Islander American Vote Table, Asian & Latino Solidarity Alliance of Central Virginia, Asian American Legal Defense and Education Fund, Asian American Political Alliance (AAPA), University of California, Berkeley, Asian Americans Advancing Justice, Asian Community Development Council (ACDC),
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	<p>Asian Counseling and Referral Service, Asian Law Alliance, Asian Pacific American Bar Association of Los Angeles County, Asian Pacific American Labor Alliance (APALA), AFL-CIO, Asian Pacific Islander Americans for Civic Empowerment (APACE), Asian Pacific Policy and Planning Council, Asian/Pacific Islander Law Students Association at University of California, Los Angeles School of Law, Association for Asian American Yale Alumni (AAAYA), Baltimore Asian Resistance in Solidarity, Berkeley Law Asian Pacific American Law Students Association (APALSA), Varaxy Yi Borromeo, Chinese American Citizens Alliance (C.A.C.A.), Los Angeles Chapter, Chinese American Progressive Action, Chinese Progressive Association, Chinese for Affirmative Action (CAA), Cheryl D. Ching, Claremont South Asian Student Association, Coalition for Asian American Children and Families (CACF),</p>
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	<p>Coalition for a Diverse Harvard, Council on American-Islamic Relations, California, Christin DePouw, Duke Asian American Studies Program, Duke Asian Students Association, East Coast Asian American Student Union, Empowering Pacific Islander Communities, GAPIMNY - Empowering Queer &amp; Trans Asian Pacific Islanders, Liliana M. Garces, Harvard Asian American Women's Association, Harvard Vietnamese Association, Jennifer Ho, Jakara Movement, Japanese Americans Citizens League, Marc Johnston-Guerrero, Corinne Kodama, Kevin Kumashiro, Lambda Phi Epsilon at North Carolina State University, C.N. Le, Nancy Leong, Sunaina Maira, MinKwon Center for Community Action, Muslim Student Association West (MSA West), National Asian Pacific American Families Against Substance Abuse (NAPAFASA), National Asian</p>
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JA170

		<p>Pacific American Women's Forum, 18MillionRising.org, AAPIs for Civic Empowerment Education Fund, API Equality Northern California, Advancing Justice - AAJC, Advancing Justice - Asian Law Caucus, Advancing Justice - Atlanta, National Council of Asian Pacific Americans (NCAPA), National Queer Asian Pacific Islander Alliance (NQAPIA), National Tongan American Society (NTAS), New Mexico Asian Family Center, David Hoa Khoa Nguyen, North Carolina Asian Americans Together, North Carolina State University Asian Students in Alliance, OCA - Asian Pacific American Advocates, OCA Greater Phoenix, C. Casey Ozaki, Pacific Islander Health Partnership, Julie J. Park, Pilipino American Law Society at Berkeley Law, Pilipino Workers Center of Southern California, Oiyen Poon, Reappropriate, South Asian Americans Leading Together (SAALT), South Asian Law Students Association at the</p>
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	<p>University of Michigan Law School, Southeast Asia Resource Action Center (SEARAC), Dian Squire, Liza A. Talusan, Task Force on Asian and Pacific American Studies at Harvard College (TAPAS), Third World Liberation Front (TWLF), University of California, Berkeley, Third World Liberation Front '69 Ad Hoc Committee, U.S. Palestinian Community Network (USPCN), Union of North American Vietnamese Student Associations, University of California, Los Angeles South Asian Law Students Association, University of Michigan, Asian Pacific American Law Students Association, University of North Carolina - Chapel Hill Asian American Students Association, University of North Carolina - Chapel Hill Campus Y Executive Board, University of North Carolina Alpha Kappa Delta Phi, University of North Carolina Asian American Law Students Association,</p>
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JA172

		University of Pennsylvania Asian Pacific Student Coalition, Vietnamese American Bar Association of Southern California, Matthew Witenstein, Janelle Wong, Min Zhou, stephanie kim. (LEERBERG, MATTHEW) (Entered: 03/05/2019)
03/12/2019	181	MOTION for Leave to File <i>Amicus Curiae Brief in Support of Plaintiff's Motion for Summary Judgment</i> by CENTER FOR CONSTITUTIONAL JURISPRUDENCE. Response to Motion due by 4/2/2019 (Attachments: # 1 Exhibit Amicus Curiae Brief (Conditionally Filed), # 2 Text of Proposed Order) (BUDASOFF, NATALIO) (Entered: 03/12/2019)
03/27/2019		Motion Submitted: 178 MOTION for Leave to File to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 03/27/2019)
04/03/2019		Motion Submitted: 181 MOTION for Leave to File <i>Amicus Curiae Brief in</i>

JA173

		<i>Support of Plaintiff's Motion for Summary Judgment to JUDGE LORETTA C. BIGGS.</i> (Blay, Debbie) (Entered: 04/03/2019)
04/04/2019	182	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 4/4/2019. The motion for leave to file a brief as <i>amici curiae</i> in support of Plaintiff's Motion for Summary Judgment (ECF No. 181) is DENIED. (Daniel, J) (Entered: 04/04/2019)
04/04/2019	183	REPLY, filed by Defendants W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL,

	<p>W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ROGER AIKEN, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY, to Response to 152 MOTION for Summary Judgment filed by W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON,</p>
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JA175

		<p>HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ROGER AIKEN, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FITZGERALD, PATRICK) (Entered: 04/04/2019)</p>
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## JA176

04/04/2019	184	REPLY, filed by Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC., to Response to 158 MOTION for Summary Judgment <i>Pursuant to Rule 56</i> filed by STUDENTS FOR FAIR ADMISSIONS, INC.. (RULEY, DANIEL) (Entered: 04/04/2019)
04/10/2019	185	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 4/10/2019. The motion for leave to file a brief as <i>amici curiae</i> in response to Plaintiff's Motion for Summary Judgment (ECF No. 178) is DENIED. (Daniel, J) Modified 185 on 4/10/2019 to replace with correct image. (Daniel, J). (Entered: 04/10/2019)
04/10/2019		Motions Submitted: 152 MOTION for Summary Judgment , 158 MOTION for Summary Judgment <i>Pursuant to Rule 56</i> , 170 MOTION to Seal to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 04/10/2019)
05/07/2019	186	MOTION to Withdraw as Attorney



JA177

		<p>LAURA J. GAZTAMBIDE-ARANDES by on behalf of ANDREW BRENNAN, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LUIS ACOSTA, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY. Responses due by 5/28/2019 (Attachments: # 1 Text of Proposed Order) (GAZTAMBIDE-ARANDES, LAURA) (Entered: 05/07/2019)</p>
05/07/2019	187	<p>MOTION to Withdraw as Attorney BRENDA L. SHUM by on behalf of ANDREW BRENNAN, CHRISTOPHER JACKSON, RAMONIA JONES, ANGIE MILLS, KEVIN MILLS, JULIA NIEVES, LUIS ACOSTA, LAURA ORNELAS, CECILIA POLANCE, TAMIKA WILLIAMS, STAR WINGATE-BEY. Responses due by 5/28/2019 (Attachments: # 1 Text of Proposed Order) (SHUM, BRENDA) (Entered: 05/07/2019)</p>

JA178

05/08/2019		Motions Referred: RE: 186 MOTION to Withdraw as Attorney LAURA J. GAZTAMBIDE-ARANDES, 187 MOTION to Withdraw as Attorney BRENDA L. SHUM, to MAG/JUDGE JOE L. WEBSTER. (Blay, Debbie) (Entered: 05/08/2019)
05/09/2019		<b>TEXT ORDER</b> granting 186 Motion to Withdraw as Attorney. For good cause shown, Attorney Laura Gaztambide-Arandes is withdrawn as counsel for Defendants-Intervenors and is discharged from any further duties or responsibilities herein. Issued by MAG/JUDGE JOE L. WEBSTER on 5/9/2019.(Lee, Pedra) (Entered: 05/09/2019)
05/09/2019		<b>TEXT ORDER</b> granting 187 Motion to Withdraw as Attorney. For good cause shown, Attorney Brenda Shum is withdrawn as counsel for Defendants-Intervenors and is discharged from any further duties or responsibilities herein.

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		Issued by MAG/JUDGE JOE L. WEBSTER on 5/9/2019.(Lee, Pedra) (Entered: 05/09/2019)
05/13/2019	188	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC.. MICHAEL H. PARK is substituted as counsel for Plaintiff. Attorney MICHAEL H. PARK terminated. (PARK, MICHAEL) (Entered: 05/13/2019)
05/21/2019	190	NOTICE of Appearance by attorney EDWARD G. CASPAR on behalf of Intervenor Defendant LUIS ACOSTA (CASPAR, EDWARD) (Entered: 05/21/2019)
09/30/2019	190	<b>MEMORANDUM OPINION AND ORDER</b> signed by JUDGE LORETTA C. BIGGS on 9/30/2019. Defendants' Motion for Summary Judgment (ECF No. 152) is DENIED. SFFA's Motion for Summary Judgment Pursuant to Rule 56 (ECF No. 158) is DENIED.

		<p>Plaintiff's Motion to File Under Seal Pursuant to Local Rule 5.4(c) is GRANTED, and Exhibits 16, 31 and 33 (ECF Nos. 171, 171-1, 171-2), are and shall be permanently sealed. A redacted version of these materials, (ECF Nos. 163-16, 163-31, 163-33, 170-1, 170-2, 170-3), shall remain accessible to the public. (Powell, Gloria) (Entered: 09/30/2019)</p>
11/01/2019	191	<p>STATUS REPORT (<i>Joint</i>) by W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN,</p>

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		W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ROGER AIKEN, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FITZGERALD, PATRICK) (Entered: 11/01/2019)
11/04/2019		CASE REFERRED RE: 191 Joint Status Report, to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 11/04/2019)
11/05/2019	192	NOTICE of Hearing: Bench Trial special set for 6/8/2020 at 09:30 AM in Winston-Salem

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		<p>Courtroom #1 before JUDGE LORETTA C. BIGGS. A settlement/pretrial conference in the above-referenced case will be set for a date approximately one month prior to the trial date. Counsel are directed to bring a client representative to the settlement/pretrial conference. The parties shall comply in all respects with Fed. R. Civ. P. 26(a)(3) regarding final pretrial disclosures, including the time requirements set out therein. In addition, no later than May 18, 2020, unless directed to the contrary, each party shall file a trial brief, along with proposed instructions on the issues. (Blay, Debbie) (Entered: 11/05/2019)</p>
12/23/2019	193	<p>MOTION to Continue <i>Trial</i> by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Text of Proposed Order)(MCCARTHY, THOMAS) (Entered: 12/23/2019)</p>

01/02/2020		Motion Submitted: 193 MOTION to Continue <i>Trial</i> to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 01/02/2020)
01/02/2020	194	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 1/2/2020. The motion to continue (ECF No. 193) is GRANTED and the trial in this matter is rescheduled from June 8, 2020 to May 11, 2020 at 9:30 a.m. in Winston-Salem, Courtroom No. 1. A settlement/pretrial conference in this case will be set for a date approximately one month prior to the trial date. Counsel are directed to bring a client representative to the settlement/pretrial conference. The parties shall comply in all respects with Fed. R. Civ. P. 26(a)(3) regarding final pretrial disclosures, including the time requirements set out therein. In addition, no later than April 20, 2020, each party shall file any motions in limine and a trial brief, along with proposed findings of fact and

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		conclusions of law. (Daniel, J) (Entered: 01/02/2020)
01/02/2020		Set/Reset/Hearings: Bench Trial reset from 6/8/2020 to 5/11/2020 at 09:30 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 01/02/2020)
01/02/2020	195	NOTICE of Hearing: Pretrial/Settlement Conference set for 4/8/2020 at 09:30 AM in Durham Courtroom #1 before MAG/JUDGE JOE L. WEBSTER. Each party is directed to prepare for the Court a document not exceeding three typewritten pages which sets out: (1) the perceived strength of that party's claims and/or defenses and (2) the perceived shortcomings of the opposing party's claims and/or defenses. That document shall be served on the opposing party and emailed to <a href="mailto:jwebster@ncmd.uscourts.gov">jwebster@ncmd.uscourts.gov</a> for Judge Webster's review no later than Tuesday, March 31, 2020.



JA185

		(Blay, Debbie). (Entered: 01/02/2020)
01/15/2020	196	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Defendants W. LOUIS BISSETTE, JR, JEFFERSON W. BROWN, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ROGER AIKEN, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY,

		<p>THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. TAMIKA HENDERSON is substituted as counsel for Defendants. Attorney NORA F. SULLIVAN terminated. (HENDERSON, TAMIKA) (Entered: 01/15/2020)</p>
01/17/2020	197	<p>NOTICE of Appearance by attorney DAVID G. HINOJOSA on behalf of Intervenor Defendants ANDREW BRENNAN, LUIS ACOSTA, LAURA ORNELAS, CECILIA POLANCE, STAR WINGATE-BEY (HINOJOSA, DAVID) (Entered: 01/17/2020)</p>

02/28/2020	198	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Amicus Parties CAPITOL BROADCASTING COMPANY, INC., CISCO SYSTEMS, INC., CUMMINS INC., DUKE UNIVERSITY HEALTH SYSTEM, INC., EBAY INC., ELI LILLY AND COMPANY, ENTERGY CORPORATION, ERNST & YOUNG, GENERAL MOTORS LLC, GLAXOSMITHKLINE LLC, HP INC., IBM CORPORATION, IKEA RETAIL US LLC, KPMG LLP, MICROSOFT CORPORATION, NATIONAL ASSOCIATION FOR STOCK CAR AUTO RACING, INC., ARCELORMITTAL USA LLC, ARIEL INVESTMENTS LLC, PAYPAL HOLDINGS, INC., PEPSICO, INC., RED HAT, INC., REPLACEMENTS, LTD., RESEARCH TRIANGLE INSTITUTE, TAKEDA PHARMACEUTICALS U.S.A., INC., THE HERSHEY COMPANY, THE REDWOODS GROUP, INC., UNITED AIRLINES, INC.,
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		YUM! BRANDS, INC.. JAMES M. WEISS is substituted as counsel for Amicus Parties. Attorney STEPHEN DANIEL FELDMAN terminated. (WEISS, JAMES)(Entered: 02/28/2020)
03/13/2020	199	Joint MOTION to Dispense with the Pre-Trial Settlement Conference by W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ROGER AIKEN, ALEX PARKER,

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		R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FITZGERALD, PATRICK) (Entered: 03/13/2020)
03/16/2020		Motion Submitted: 199 Joint MOTION to Dispense with the Pre-Trial Settlement Conference to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 03/16/2020)
03/18/2020	200	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 3/18/2020. The Joint Motion (ECF No. 199) is GRANTED, and the pre-trial settlement conference scheduled for April 8, 2020 before Magistrate

JA190

		Judge Webster is CANCELLED with his knowledge and agreement. Further, any corresponding requisite submission with respect to the pre-trial settlement conference only, is no longer required. (Daniel, J) (Entered: 03/18/2020)
03/23/2020	201	Joint MOTION Regarding Certain Pre-Trial Issues and Request to Adjust Certain Briefing Deadlines by W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL,

JA191

		ANNA SPANGLER NELSON, ROGER AIKEN, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FITZGERALD, PATRICK) (Entered: 03/23/2020)
03/24/2020		Motion Submitted: 201 Joint MOTION Regarding Certain Pre-Trial Issues and Request to Adjust Certain Briefing Deadlines to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 03/24/2020)
04/01/2020	202	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on

	<p>04/01/2020, that the parties motion, (ECF No. 201), is GRANTED IN PART to the extent that the Court's Order dated January 2, 2020, (ECF No. 194), shall be modified to no longer require trial briefs and proposed findings of fact and conclusions of law on April 20, 2020; FURTHER that the parties shall file trial briefs to include proposed finding of facts and conclusions of law following the trial of this matter and no later than 30 days following the receipt of the official trial transcripts of the trial with opposition briefs due no later than 21 days thereafter. FURTHER that the parties shall file on or before April 20, 2020 a joint status report, considering their efforts to streamline the trial as set forth in their motion, addressing the following:  (1) their updated estimate of duration of trial; (2) each parties' list of witnesses to include the city and state of residence of each; (3) each parties' litigation team to be present for trial to include the</p>
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		<p>name of each attorney or staff member and the city and state residence of each; (4) any other person (s) that either party wishes to have attend the trial with said person's city and state of residence; and (5) any other information that the parties deem pertinent to the Court in its determination of the feasibility of conducting a trial of this matter in May 2020. FURTHER that the parties shall participate in a teleconference with the Court that will be scheduled for a mutually convenient date following the filing of the joint status report to address, among other things, the parties' request for guidance on effectuating a stipulated judgment resolving Count III and the feasibility of conducting a trial in this matter in May 2020. (Taylor, Abby) (Entered: 04/01/2020)</p>
04/01/2020		<p>Set Deadline: Joint Status Report due by 4/20/2020. (Taylor, Abby) (Entered: 04/01/2020)</p>

04/03/2020	203	STATUS REPORT ( <i>Joint</i> ) by W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ROGER AIKEN, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, THERENCE O. PICKETT, DAVID M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III, UNIVERSITY OF
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		NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FITZGERALD, PATRICK) (Entered: 04/03/2020)
04/08/2020	204	NOTICE of Hearing: Telephone Conference set for 4/14/2020 at 11:00 AM before JUDGE LORETTA C. BIGGS. An email will be sent with call-in instructions.(Blay, Debbie) (Entered: 04/08/2020)
04/10/2020	205	FINAL PRETRIAL DISCLOSURES by ANDREW BRENNAN, LUIS ACOSTA, LAURA ORNELAS, CECILIA POLANCE, STAR WINGATE-BEY.(TORRES, GENEVIEVE) (Entered: 04/10/2020)
04/14/2020		Minute Entry for proceedings held before JUDGE LORETTA C. BIGGS: Telephone Conference held on 4/14/2020. The following attorneys participated: For SFFA:

		<p>Thomas McCarthy and Patrick Strawbridge; For          UNC-Defendants: Patrick Fitzgerald, Stephanie Brennan, and Lara Flath; For          Student-Intervenors: Jack Holtzman, David Hinojosa, and Genevieve Bonadies Torres.          Matters discussed regarding the Joint Status Report.          Written Order forthcoming.          (Court Reporter Lori Russell.)          (Blay, Debbie) (Entered: 04/14/2020)</p>
04/17/2020	206	<p><b>PRE-TRIAL ORDER</b> signed by JUDGE LORETTA C. BIGGS on 4/17/2020. The previous Order of the Court setting trial in this matter for May 11, 2020 (ECF No. 194) is modified and trial is rescheduled to November 9, 2020. A Trial Notice will be filed simultaneously with this Order. <b>FURTHER</b> that SFFA's request for a bench trial on the summary judgment record (ECF No. 203 at 46) which this Court has considered as a motion is <b>DENIED</b>. <b>FURTHER</b> that the parties shall expeditiously file the joint</p>

		<p>motion for partial judgment on the pleadings pursuant to Rule 12(c) of the Federal Rules of Civil Procedure which was agreed upon by the parties for the purpose of preserving SFFA's right to appellate review on Count Three of the Complaint. (Daniel, J) (Entered: 04/17/2020)</p>
04/17/2020	207	<p>NOTICE of Hearing: Bench Trial set for 11/9/2020 at 09:30 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 04/17/2020)</p>
04/24/2020	208	<p>Transcript of Proceedings held on 04/14/2020, re: Telephone Conference, before Judge Loretta C. Biggs. Court Reporter Lori Russell, Telephone number 336-734-2547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p>

		<p><b>NOTICE RE: REDACTION OF TRANSCRIPTS:</b> The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</p> <p>Redaction Request due 5/18/2020. Redacted Transcript Deadline set for 5/29/2020. Release of Transcript Restriction set for 7/27/2020. (Russell, Lori) (Entered: 04/24/2020)</p>
05/08/2020	209	Consent MOTION for Judgment on the Pleadings

	<p><i>(Partial)</i> by W. LOUIS  BISSETTE, JR, JAMES W.  DEAN, JR, STEPHEN M.  FARMER, JOHN C.  FENNEBRESQUE, CAROL L.  FOLT, H. FRANK FRAINGER,  HANNAH D. GAGE, ANN B.  GOODNIGHT, PETER D.  HANS, THOMAS J.  HARRELSON, HENRY W.  HINTON, JAMES L.  HOLMES, JR, RODNEY E.  HOOD, W. MARTY KOTIS, III,  G. LEROY LAIL, SCOTT  LAMPE, STEVEN B. LONG,  JOAN G. MACNEILL, HARI  H. MATH, MARY ANN  MAXWELL, W. EDWIN  MCMAHAN, W.G.  CHAMPION MITCHELL,  ROGER AIKEN, ANNA  SPANGLER NELSON, ALEX  PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF</p>
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JA200

		NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (FITZGERALD, PATRICK) (Entered: 05/08/2020)
05/11/2020		Motion Submitted: 209 Consent MOTION for Judgment on the Pleadings ( <i>Partial</i> ) to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 05/11/2020)
05/28/2020	210	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 5/28/2020. Defendant's Unopposed Motion for Partial Judgment on the Pleadings as to Count III of Plaintiffs Complaint (ECF No. 209) is GRANTED. (Daniel, J) (Entered: 05/28/2020)
09/11/2020	211	<i>JOINT</i> STATUS REPORT Regarding November 2020 Trial filed by by W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER,



	<p>JOHN C. FENNEBRESQUE,  CAROL L. FOLT, H. FRANK  FRAINGER, HANNAH D.  GAGE, ANN B. GOODNIGHT,  PETER D. HANS, THOMAS J.  HARRELSON, HENRY W.  HINTON, JAMES L.  HOLMES, JR, RODNEY E.  HOOD, W. MARTY KOTIS, III,  G. LEROY LAIL, SCOTT  LAMPE, STEVEN B. LONG,  JOAN G. MACNEILL, HARI  H. MATH, MARY ANN  MAXWELL, W. EDWIN  MCMAHAN, W.G.  CHAMPION MITCHELL,  ANNA SPANGLER NELSON,  ROGER AIKEN, ALEX  PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY,  THERENCE O. PICKETT,  DAVID M. POWERS, ROBERT  S. RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III, UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA</p>
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JA202

		BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (Daniel, J) Modified text on 9/11/2020 to set out the filers. (Daniel, J) (Entered: 09/11/2020)
09/18/2020	212	Notice of Video Conference Hearing: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. Pretrial Status Hearing set for 9/25/2020 at 11:00 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 09/18/2020)
09/25/2020	213	Minute Entry for proceedings held before JUDGE LORETTA C. BIGGS: Pretrial Status Hearing held via Zoom on

		<p>9/25/2020. Thomas McCarthy appeared on behalf of SFFA. Stephanie Brennan and Patrick Fitzgerald appeared on behalf of UNC-Defendants. David Hinojosa appeared on behalf of Student-Intervenors. (Court Reporter Lori Russell.) (Blay, Debbie) (Entered: 09/25/2020)</p>
<p>10/20/2020</p>	<p>214</p>	<p>DECLARATION OF TECHNICAL DIFFICULTIES by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL,</p>

		<p>ANNA SPANGLER NELSON,  ALEX PARKER, R. DOYLE  PARRISH, JOAN  TEMPLETON PERRY, DAIVD  M. POWERS, ROBERT S.  RIPPY, THOMAS W. ROSS,  HARRY LEO SMITH, JR,  J. CRAIG SOUZA, GEORGE A.  SYWASSINK, RICHARD F.  TAYLOR, RAIFORD TRASK,  III., UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP D. WALKER,  LAURA I. WILEY. (Daniel, J)  (Entered: 10/20/2020)</p>
10/20/2020	215	<p>MOTION In Limine To  Exclude Evidence Related To  So-Called "Paper Classes" by  ROGER AIKEN, W. LOUIS  BISSETTE, JR, JAMES W.  DEAN, JR, STEPHEN M.  FARMER, JOHN C.  FENNEBRESQUE, CAROL L.  FOLT, H. FRANK FRAINGER,  HANNAH D. GAGE, ANN B.  GOODNIGHT, PETER D.  HANS, THOMAS J.  HARRELSON,</p>

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		<p>HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, DAIVD M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III., UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. Response due by 11/13/2020. (Daniel, J) (Entered: 10/20/2020)</p>
10/20/2020	216	BRIEF In Support of 215 MOTION in Limine To

	<p>Exclude Evidence Related To So-Called "Paper Classes" by  ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, DAIVD M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III., UNIVERSITY OF</p>
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JA207

		NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (Daniel, J) (Entered: 10/20/2020)
10/20/2020	217	DECLARATION of PATRICK FITZGERALD In Support of 215 MOTION in Limine To Exclude Evidence Related To So-Called "Paper Classes" filed by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER, HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL,

		<p>W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, DAIVD M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III., UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (Daniel, J) (Entered: 10/20/2020)</p>
10/20/2020	218	<p>NOTICE Of Alternate Means Of Filing re: 215 Motion in Limine, 216 Brief, and 217 Declaration by Defendants ROGER AIKEN, W. LOUIS BISSETTE, JR, JAMES W. DEAN, JR, STEPHEN M. FARMER, JOHN C. FENNEBRESQUE, CAROL L. FOLT, H. FRANK FRAINGER,</p>



		HANNAH D. GAGE, ANN B. GOODNIGHT, PETER D. HANS, THOMAS J. HARRELSON, HENRY W. HINTON, JAMES L. HOLMES, JR, RODNEY E. HOOD, W. MARTY KOTIS, III, G. LEROY LAIL, SCOTT LAMPE, STEVEN B. LONG, JOAN G. MACNEILL, HARI H. MATH, MARY ANN MAXWELL, W. EDWIN MCMAHAN, W.G. CHAMPION MITCHELL, ANNA SPANGLER NELSON, ALEX PARKER, R. DOYLE PARRISH, JOAN TEMPLETON PERRY, DAIVD M. POWERS, ROBERT S. RIPPY, THOMAS W. ROSS, HARRY LEO SMITH, JR, J. CRAIG SOUZA, GEORGE A. SYWASSINK, RICHARD F. TAYLOR, RAIFORD TRASK, III., UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP D. WALKER, LAURA I. WILEY. (Daniel, J)(Entered: 10/20/2020)
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JA210

10/20/2020		Set/Reset Response Deadline re: 215 MOTION in Limine To Exclude Evidence Related To So-Called "Paper Classes". Responses due by 10/26/2020. (Daniel, J) (Entered: 10/20/2020)
10/20/2020	219	TRIAL PROTOCOL signed by JUDGE LORETTA C. BIGGS on 10/20/2020. (Daniel, J) (Entered: 10/20/2020)
10/20/2020		Set Hearings: In-Person Pretrial Conference set for 11/2/2020 at 01:00 PM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 10/22/2020)
10/26/2020	220	RESPONSE in Opposition re 215 MOTION in Limine filed by RICHARD F. TAYLOR, LAURA I. WILEY, JOAN TEMPLETON PERRY, JAMES L. HOLMES, JR., UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, PHILLIP D. WALKER, W. EDWIN MCMAHAN, H. FRANK FRAINGER, W. MARTY KOTIS, III,

JA211

		CAROL L. FOLT, THOMAS J. HARRELSON, HARRY LEO SMITH, JR., GEORGE A. SYWASSINK, G. LEROY LAIL, PETER D. HANS, HENRY W. HINTON, W.G. CHAMPION MITCHELL, THOMAS W. ROSS, ANNA SPANGLER NELSON, ALEX PARKER, JAMES W. DEAN, JR., HANNAH D. GAGE, JOHN C. FENNEBRESQUE, SCOTT LAMPE, W. LOUIS BISSETTE, JR., UNIVERSITY OF NORTH CAROLINA, JOAN G. MACNEILL, STEPHEN M. FARMER, RODNEY E. HOOD, R. DOYLE PARRISH, ROBERT S. RIPPY, ANN B. GOODNIGHT filed by STUDENTS FOR FAIR ADMISSIONS, INC.. (MCCARTHY, THOMAS) (Entered: 10/26/2020)
10/27/2020	221	Corrected document re 220 Response in Opposition to Motion,,, (MCCARTHY, THOMAS) (Entered: 10/27/2020)
11/02/2020		Minute Entry for proceedings held before JUDGE

		<p>LORETTA C. BIGGS: Final Pretrial Conference held on 11/2/2020, and 215 MOTION in Limine hearing held in Winston-Salem. Attorneys Daniel Ruley, Thomas McCarthy, and Patrick Strawbridge present on behalf of the Plaintiff. Attorneys Patrick Fitzgerald, Stephanie Brennan, and Lara Flath present on behalf of the Defendants. Attorneys Jack Holtzman, David Hinojosa, Emily Turner, and Genevieve Bonadies Torres present on behalf of the Student-Intervenors. The Court heard arguments regarding 215 Motion in Limine and deferred ruling. (Court Reporter Lori Russell.) (Blay, Debbie) (Entered: 11/02/2020)</p>
11/03/2020	222	<p><b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 11/3/2020. The Defendant's Motion <i>in Limine</i> To Exclude Evidence Related to So-Called "Paper Classes" (ECF No. 215) is GRANTED.(Daniel, J) (Entered: 11/03/2020)</p>

JA213

11/03/2020	223	<b>FINAL PRETRIAL ORDER</b> signed by JUDGE LORETTA C. BIGGS on 11/3/2020. (Daniel, J) (Entered: 11/03/2020)
11/06/2020	224	NOTICE of Attorney Appearance by attorney JAMES F. HASSON on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. (HASSON, JAMES) (Entered: 11/06/2020)
11/09/2020		Minute Entry for proceedings held before JUDGE LORETTA C. BIGGS: Bench Trial (Day 1) held on 11/9/2020. Parties presented opening statements. Plaintiffs presented evidence. Attorneys Thomas McCarthy, Patrick Strawbridge, Alan Ruley, Andrew Freeman, Bryan Weir, and James Hasson present on behalf of the Plaintiff. Attorneys Stephanie Brennan, Patrick Fitzgerald, Tamika Henderson, Lara Flath, Marianne Combs, and Amy Van Gelder present on behalf of the Defendants. Attorneys David Hinojosa,

JA214

		<p>Genevieve Bonadies Torres, Emily Turner, and Jack Holtzman present on behalf of the Student-Intervenors. ( Bench Trial to continue on 11/10/2020 at 09:30 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS.) (Court Reporter Lori Russell.) (Blay, Debbie). (Entered: 11/09/2020)</p>
11/09/2020	225	<p>Joint STIPULATION of <i>Undisputed Facts</i>. (MCCARTHY, THOMAS) (Entered: 11/09/2020)</p>
11/10/2020	226	<p>MOTION for Clarification by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Deposition Excerpts of Richard Kahlenberg, # 2 Deposition Excerpts of Peter Arcidiacono) (MCCARTHY, THOMAS) (Entered: 11/10/2020)</p>
11/10/2020	227	<p>NOTICE of Special Appearance by attorney JAMES F. HASSON on behalf of Plaintiff STUDENTS FOR FAIR ADMISSIONS, INC. ( Filing fee \$ 25 receipt number</p>

JA215

		0418-2929104.) (HASSON, JAMES) (Entered: 11/10/2020)
11/10/2020		Minute Entry for proceedings held before JUDGE LORETTA C. BIGGS: Bench Trial (Day 2) held on 11/10/2020, Plaintiffs presented evidence. Attorneys Thomas McCarthy, Patrick Strawbridge, Alan Ruley, Andrew Freeman, Bryan Weir, and James Hasson present on behalf of the Plaintiff. Attorneys Stephanie Brennan, Patrick Fitzgerald, Tamika Henderson, Lara Flath, Marianne Combs, and Amy Van Gelder present on behalf of the Defendants. Attorneys David Hinojosa, Genevieve Bonadies Torres, Emily Turner, and Jack Holtzman present on behalf of the Student-Intervenors. (Bench Trial to continue on 11/12/2020 at 9:30 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS.) (Court Reporter Lori Russell.) (Blay, Debbie) (Entered: 11/10/2020)
11/12/2020		Minute Entry for proceedings held before JUDGE

		<p>LORETTA C. BIGGS: Bench Trial (Day 3) held on 11/12/2020 Plaintiffs presented evidence and rested. No motions made at this time. Defendants presented evidence. Attorneys Thomas McCarthy, Patrick Strawbridge, Alan Ruley, Andrew Freeman, Bryan Weir, and James Hasson present on behalf of the Plaintiff. Attorneys Stephanie Brennan, Patrick Fitzgerald, Tamika Henderson, Lara Flath, Marianne Combs, and Amy Van Gelder present on behalf of the Defendants. Attorneys David Hinojosa, Genevieve Bonadies Torres, Emily Turner, and Jack Holtzman present on behalf of the Student-Intervenors.( Bench Trial to continue on 11/13/2020 at 09:30 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS.) (Court Reporter Lori Russell.) (Blay, Debbie) (Entered: 11/12/2020)</p>
11/13/2020		<p>Minute Entry for proceedings held before JUDGE LORETTA C. BIGGS: Bench Trial (Day 4)</p>



JA217

		<p>held on 11/13/2020, Defendants presented evidence. Attorneys Thomas McCarthy, Patrick Strawbridge, Alan Ruley, Andrew Freeman, Bryan Weir, and James Hasson present on behalf of the Plaintiff. Attorneys Stephanie Brennan, Patrick Fitzgerald, Tamika Henderson, Lara Flath, Marianne Combs, and Amy Van Gelder present on behalf of the Defendants. Attorneys David Hinojosa, Genevieve Bonadies Torres, Emily Turner, and Jack Holtzman present on behalf of the Student-Intervenors.( Bench Trial to continue on 11/16/2020 at 09:30 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS.). (Court Reporter Lori Russell.) (Blay, Debbie) (Entered: 11/13/2020)</p>
11/16/2020		<p>Minute Entry for proceedings held before JUDGE LORETTA C. BIGGS: Bench Trial (Day 5) held on 11/16/2020. Defendants and Intervenors presented evidence. Attorneys Thomas McCarthy, Patrick Strawbridge, Alan Ruley,</p>

		<p>Andrew Freeman, Bryan Weir, and James Hason present on behalf of the Plaintiff. Attorneys Stephanie Brennan, Patrick Fitzgerald, Tamika Henderson, Lara Flath, Marianne Combs, and Amy Van Gelder present on behalf of the Defendants. Attorneys David Hinojosa, Genevieve Bonadies Torres, Emily Turner, and Jack Holtzman present on behalf of the Student-Intervenors. ( Bench Trial to continue on 11/17/2020 at 09:30 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS.). (Court Reporter Lori Russell.) (Blay, Debbie) (Entered: 11/16/2020)</p>
<p>11/17/2020</p>		<p>Minute Entry for proceedings held before JUDGE LORETTA C. BIGGS: Bench Trial (Day 6) held on 11/17/2020. Defendants presented evidence. Attorneys Thomas McCarthy, Patrick Strawbridge, Alan Ruley, Andrew Freeman, Bryan Weir, and James Hason present on behalf of the Plaintiff. Attorneys Stephanie Brennan, Patrick Fitzgerald,</p>

		<p>Tamika Henderson, Lara Flath, Marianne Combs, and Amy Van Gelder present on behalf of the Defendants. Attorneys David Hinojosa, Genevieve Bonadies Torres, Emily Turner, and Jack Holtzman present on behalf of the Student-Intervenors ( Bench Trial to continue on 11/18/2020 at 09:30 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS.) (Court Reporter Lori Russell.) (Blay, Debbie) (Entered: 11/17/2020)</p>
11/18/2020		<p>Minute Entry for proceedings held before JUDGE LORETTA C. BIGGS: Bench Trial (Day 7) held on 11/18/2020. Defendants presented evidence and rested. Defendant Intervenors present evidence. Attorneys Thomas McCarthy, Patrick Strawbridge, Alan Ruley, Andrew Freeman, Bryan Weir, and James Hasson present on behalf of the Plaintiff. Attorneys Stephanie Brennan, Patrick Fitzgerald, Tamika Henderson, Lara Flath, Marianne Combs, and</p>

JA220

		<p>Amy Van Gelder present on behalf of the Defendants. Attorneys David Hinojosa, Genevieve Bonadies Torres, Emily Turner, and Jack Holtzman present on behalf of the Student-Intervenors. ( Bench Trial continued to 11/19/2020 at 09:30 AM in Winston-Salem Courtroom #1 before JUDGE LORETTA C. BIGGS.) (Court Reporter Lori Russell.) (Blay, Debbie) (Entered: 11/18/2020)</p>
11/19/2020	253	<p>Minute Entry for proceedings held before JUDGE LORETTA C. BIGGS: Bench Trial (Day 8) held on 11/19/2020. Defendant Intervenors present evidence and rested. Evidence concluded. No motions made. Closing arguments made. Bench trial concluded. Findings of fact due 30 days after final transcript completed. Attorneys Thomas McCarthy, Patrick Strawbridge, Alan Ruley, Andrew Freeman, Bryan Weir, and James Hasson present on behalf of the Plaintiff. Attorneys Stephanie Brennan,</p>

		<p>Patrick Fitzgerald, Tamika Henderson, Lara Flath, Marianne Combs, and Amy Van Gelder present on behalf of the Defendants. Attorneys David Hinojosa, Genevieve Bonadies Torres, Emily Turner, and Jack Holtzman present on behalf of the Student-Intervenors (Court Reporter Lori Russell.) (Blay, Debbie) (Blay, Debbie). (Entered: 11/19/2020)</p>
12/21/2020	228	<p>Transcript of Proceedings held on 11/09/2020, re: Bench Trial - Volume 1, before Judge Loretta C. Biggs. Court Reporter Lori Russell, Telephone number 336-734-2547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p><b>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21</b></p>

JA222

		<p><b>calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</b></p> <p>Redaction Request due 1/14/2021. Redacted Transcript Deadline set for 1/24/2021. Release of Transcript Restriction set for 3/24/2021. (Russell, Lori) (Entered: 12/21/2020)</p>
12/21/2020	229	<p>Transcript of Proceedings held on 11/10/2020, re: Bench Trial - Volume 2, before Judge Loretta C. Biggs. Court Reporter Lori Russell, Telephone number 336-734-2547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction.</p>

JA223

		<p>After that date it may be obtained through PACER.</p> <p><b>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</b></p> <p>Redaction Request due 1/14/2021. Redacted Transcript Deadline set for 1/24/2021. Release of Transcript Restriction set for 3/24/2021. (Russell, Lori) (Entered: 12/21/2020)</p>
12/21/2020	230	Transcript of Proceedings held on 11/12/2020, re: Bench Trial -

	<p>Volume 3, before Judge Loretta C. Biggs. Court Reporter Lori Russell, Telephone number 336-734-2547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p><b>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained</b></p>
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JA225

		<p><b>through PACER.</b></p> <p>Redaction Request due 1/14/2021. Redacted Transcript Deadline set for 1/24/2021. Release of Transcript Restriction set for 3/24/2021. (Russell, Lori) (Entered: 12/21/2020)</p>
12/21/2020	231	<p>Transcript of Proceedings held on 11/13/2020, re: Bench Trial - Volume 4, before Judge Loretta C. Biggs. Court Reporter Lori Russell, Telephone number 336-734-2547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p><b>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be</b></p>

		<p><b>made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</b></p> <p>Redaction Request due 1/14/2021. Redacted Transcript Deadline set for 1/24/2021. Release of Transcript Restriction set for 3/24/2021. (Russell, Lori) (Entered: 12/21/2020)</p>
<p>12/21/2020</p>	<p>232</p>	<p>Transcript of Proceedings held on 11/16/2020, re: Bench Trial - Volume 5, before Judge Loretta C. Biggs. Court Reporter Lori Russell, Telephone number 336-734-2547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained</p>

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		<p>through PACER.</p> <p><b>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</b></p> <p>Redaction Request due 1/14/2021. Redacted Transcript Deadline set for 1/24/2021. Release of Transcript Restriction set for 3/24/2021. (Russell, Lori) (Entered: 12/21/2020)</p>
12/21/2020	233	Transcript of Proceedings held on 11/17/2020, re: Bench Trial - Volume 6, before Judge

	<p>Loretta C. Biggs. Court Reporter Lori Russell, Telephone number 336-734-2547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p><b>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</b></p>
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JA229

		Redaction Request due 1/14/2021. Redacted Transcript Deadline set for 1/24/2021. Release of Transcript Restriction set for 3/24/2021. (Russell, Lori) (Entered: 12/21/2020)
12/21/2020	234	<p>Transcript of Proceedings held on 11/18/2020, re: Bench Trial - Volume 7, before Judge Loretta C. Biggs. Court Reporter Lori Russell, Telephone number 336-734-2547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p><b>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after</b></p>

JA230

		<p><b>90 calendar days.</b> <b>Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</b></p> <p>Redaction Request due 1/14/2021. Redacted Transcript Deadline set for 1/24/2021. Release of Transcript Restriction set for 3/24/2021. (Russell, Lori) (Entered: 12/21/2020)</p>
12/21/2020	235	<p>Transcript of Proceedings held on 11/19/2020, re: Bench Trial - Volume 8 (Does Not Include Closing Arguments), before Judge Loretta C. Biggs. Court Reporter Lori Russell, Telephone number 336-734-2547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p>

		<p><b>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</b></p> <p>Redaction Request due 1/14/2021. Redacted Transcript Deadline set for 1/24/2021. Release of Transcript Restriction set for 3/24/2021. (Russell, Lori) (Entered: 12/21/2020)</p>
12/21/2020	236	<p>Transcript of Proceedings held on 11/19/2020, re: Bench Trial - Volume 9 (Closing Arguments), before Judge Loretta C. Biggs.</p>

	<p>Court Reporter Lori Russell, Telephone number 336-734-2547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p><b>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</b></p>
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JA233

		Redaction Request due 1/14/2021. Redacted Transcript Deadline set for 1/24/2021. Release of Transcript Restriction set for 3/24/2021. (Russell, Lori) (Entered: 12/21/2020)
12/21/2020	237	MOTION for Extension of Time to File <i>Their Post-Trial Brief</i> by ROGER AIKEN, W. BISSETTE, JAMES DEAN, STEPHEN FARMER, JOHN FENNEBRESQUE, CAROL FOLT, H. FRAINGER, HANNAH GAGE, ANN GOODNIGHT, PETER HANS, THOMAS HARRELSON, HENRY HINTON, JAMES HOLMES, RODNEY HOOD, W. KOTIS, G. LAIL, SCOTT LAMPE, STEVEN LONG, JOAN MACNEILL, HARI MATH, MARY ANN MAXWELL, W. MCMAHAN, W.G. MITCHELL, ANNA NELSON, ALEX PARKER, R. PARRISH, JOAN PERRY, THERENCE PICKETT, DAVID POWERS, ROBERT RIPPY, THOMAS ROSS, HARRY SMITH, J. SOUZA, GEORGE SYWASSINK,

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		RICHARD TAYLOR, RAIFORD TRASK, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP WALKER, LAURA WILEY. (FITZGERALD, PATRICK) (Entered: 12/21/2020)
12/21/2020		Motion Submitted: RE: 237 MOTION for Extension of Time to File <i>Their Post-Trial Brief</i> , to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 12/21/2020)
12/21/2020	238	SEALED Transcript of Sealed Trial Testimony during Bench Trial held on 11/10/2020, 11/12/2020, 11/16/2020, 11/18/2020 and 11/19/2020 before Judge Loretta C. Biggs. Court Reporter Lori Russell, Telephone number 336-734-2547. (Marsh, Keah) (Entered: 12/21/2020)

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12/21/2020	239	<p><b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 12/21/2020. The motion (ECF No. 237) is GRANTED and the deadline for the parties to file their post-trial briefs, including proposed findings of fact and conclusions of law, is February 5, 2021 with opposition briefs due February 26, 2021. (Daniel, J) (Entered: 12/21/2020)</p>
12/22/2020	240	<p><i>NOTICE of Intent to Request Redaction</i> for Transcript of the hearing held on the week of November 9 13, 2020. (BRENNAN, STEPHANIE) (Entered: 12/22/2020)</p>
01/11/2021	241	<p>MOTION to Redact 230 Transcript,,,, by ROGER AIKEN, JAMES DEAN, STEPHEN FARMER, JOHN FENNEBRESQUE, CAROL FOLT, H. FRAINGER, HANNAH GAGE, ANN GOODNIGHT, PETER HANS, THOMAS HARRELSON, HENRY HINTON, JAMES HOLMES, RODNEY HOOD, W. KOTIS, G. LAIL, SCOTT LAMPE, STEVEN LONG,</p>

JA236

		JOAN MACNEILL, HARI MATH, MARY ANN MAXWELL, W. MCMAHAN, W.G. MITCHELL, ANNA NELSON, ALEX PARKER, R. PARRISH, JOAN PERRY, THERENCE PICKETT, DAVID POWERS, ROBERT RIPPY, THOMAS ROSS, HARRY SMITH, J. SOUZA, GEORGE SYWASSINK, RICHARD TAYLOR, RAIFORD TRASK, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP WALKER, LAURA WILEY. (BRENNAN, STEPHANIE) (Entered: 01/11/2021)
01/11/2021	242	MEMORANDUM filed by Defendants ROGER AIKEN, W. BISSETTE, JAMES DEAN, STEPHEN FARMER, JOHN FENNEBRESQUE, CAROL FOLT, H. FRAINGER, HANNAH GAGE, ANN GOODNIGHT, PETER HANS, THOMAS HARRELSON,

	<p>HENRY HINTON, JAMES HOLMES, RODNEY HOOD, W. KOTIS, G. LAIL, SCOTT LAMPE, STEVEN LONG, JOAN MACNEILL, HARI MATH, MARY ANN MAXWELL, W. MCMAHAN, W.G. MITCHELL, ANNA NELSON, ALEX PARKER, R. PARRISH, JOAN PERRY, THERENCE PICKETT, DAVID POWERS, ROBERT RIPPY, THOMAS ROSS, HARRY SMITH, J. SOUZA, GEORGE SYWASSINK, RICHARD TAYLOR, RAIFORD TRASK, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP WALKER, LAURA WILEY re 241 MOTION to Redact 230 Transcript,,,, <i>in support</i> filed by ROGER AIKEN, W. BISSETTE, JAMES DEAN, STEPHEN FARMER, JOHN FENNEBRESQUE, CAROL FOLT, H. FRAINGER, HANNAH GAGE,</p>
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		<p>ANN GOODNIGHT, PETER HANS, THOMAS HARRELSON, HENRY HINTON, JAMES HOLMES, RODNEY HOOD, W. KOTIS, G. LAIL, SCOTT LAMPE, STEVEN LONG, JOAN MACNEILL, HARI MATH, MARY ANN MAXWELL, W. MCMAHAN, W.G. MITCHELL, ANNA NELSON, ALEX PARKER, R. PARRISH, JOAN PERRY, THERENCE PICKETT, DAVID POWERS, ROBERT RIPPY, THOMAS ROSS, HARRY SMITH, J. SOUZA, GEORGE SYWASSINK, RICHARD TAYLOR, RAIFORD TRASK, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP WALKER, LAURA WILEY. (BRENNAN, STEPHANIE)(Entered: 01/11/2021)</p>
<p>01/12/2021</p>		<p>Motion Referred: RE: 241 MOTION to Redact 230 Transcript,,,, , to JUDGE</p>

JA239

		LORETTA C. BIGGS. (Blay, Debbie) (Entered: 01/12/2021)
01/12/2021	243	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 1/12/2021. The Motion for Redaction of Transcript (ECF No. 241) is GRANTED, and the court reporter is instructed to redact this portion of the transcript. (Daniel, J) (Entered: 01/12/2021)
01/15/2021	244	Redaction re 230 Transcript. Redaction Request due 2/8/2021. Redacted Transcript Deadline set for 2/19/2021. Release of Transcript Restriction set for 4/19/2021. (Russell, Lori) (Entered: 01/15/2021)
02/05/2021	245	Proposed Findings of Fact and Conclusions of Law by ROGER AIKEN, W. BISSETTE, JAMES DEAN, STEPHEN FARMER, JOHN FENNEBRESQUE, CAROL FOLT, H. FRAINGER, HANNAH GAGE, ANN GOODNIGHT, PETER HANS, THOMAS HARRELSON, HENRY HINTON, JAMES HOLMES, RODNEY HOOD,

JA240

		<p>W. KOTIS, G. LAIL, SCOTT LAMPE, STEVEN LONG, JOAN MACNEILL, HARI MATH, MARY ANN MAXWELL, W. MCMAHAN, W.G. MITCHELL, ANNA NELSON, ALEX PARKER, R. PARRISH, JOAN PERRY, THERENCE PICKETT, DAVID POWERS, ROBERT RIPPY, THOMAS ROSS, HARRY SMITH, J. SOUZA, GEORGE SYWASSINK, RICHARD TAYLOR, RAIFORD TRASK, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP WALKER, LAURA WILEY.(FITZGERALD, PATRICK) (Entered: 02/05/2021)</p>
02/05/2021	246	<p>Proposed Findings of Fact and Conclusions of Law by LUIS ACOSTA, ANDREW BRENNAN, LAURA ORNELAS, CECILIA POLANCE, STAR WINGATE-BEY.</p>



JA241

		(TORRES, GENEVIEVE) (Entered: 02/05/2021)
02/05/2021	247	Proposed Findings of Fact and Conclusions of Law by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Appendix Arcidiacono Demonstratives, # 2 Appendix Kahlenberg Demonstratives)(MCCARTHY, THOMAS) (Entered: 02/05/2021)
02/24/2021	248	MOTION for Extension of Time to File Response/Reply to <i>Proposed Findings of Fact and Conclusions of Law</i> by STUDENTS FOR FAIR ADMISSIONS, INC.. (Attachments: # 1 Text of Proposed Order)(MCCARTHY, THOMAS) (Entered: 02/24/2021)
02/25/2021		Motion Submitted: 248 MOTION for Extension of Time to File Response/Reply to <i>Proposed Findings of Fact and Conclusions of Law</i> to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 02/25/2021)

JA242

02/25/2021	249	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 2/25/2021. The Motion for Extension of Time (ECF No. 248) is GRANTED and the deadlines for the parties to file their oppositions to proposed findings of fact and conclusions of law are extended until Wednesday, March 3, 2021. (Daniel, J) (Entered: 02/25/2021)
03/03/2021	250	<b>RESPONSE</b> re 247 Proposed Findings of Fact and Conclusions of Law filed by LUIS ACOSTA, ANDREW BRENNAN, LAURA ORNELAS, CECILIA POLANCE, STAR WINGATE-BEY. Replies due by 3/17/2021 (TORRES, GENEVIEVE) (Entered: 03/03/2021)
03/03/2021	251	<b>RESPONSE</b> re 247 Proposed Findings of Fact and Conclusions of Law filed by ROGER AIKEN, W. BISSETTE, JAMES DEAN, STEPHEN FARMER, JOHN FENNEBRESQUE, CAROL FOLT, H. FRAINGER,

	<p>HANNAH GAGE, ANN  GOODNIGHT, PETER HANS,  THOMAS HARRELSON,  HENRY HINTON, JAMES  HOLMES, RODNEY HOOD,  W. KOTIS, G. LAIL, SCOTT  LAMPE, STEVEN LONG,  JOAN MACNEILL, HARI  MATH, MARY ANN  MAXWELL, W. MCMAHAN,  W.G. MITCHELL, ANNA  NELSON, ALEX PARKER,  R. PARRISH, JOAN PERRY,  THERENCE PICKETT,  DAVID POWERS, ROBERT  RIPPY, THOMAS ROSS,  HARRY SMITH, J. SOUZA,  GEORGE SYWASSINK,  RICHARD TAYLOR,  RAIFORD TRASK,  UNIVERSITY OF NORTH  CAROLINA, UNIVERSITY OF  NORTH CAROLINA AT  CHAPEL HILL, UNIVERSITY  OF NORTH CAROLINA  BOARD OF GOVERNORS,  PHILLIP WALKER, LAURA  WILEY. (Attachments: # 1  Exhibit A - Hoxby  Demonstratives, # 2 Exhibit B -  Long Demonstratives)  (FITZGERALD, PATRICK)  (Entered: 03/03/2021)</p>
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JA244

03/03/2021	252	RESPONSE re 245 Proposed Findings of Fact and Conclusions of Law,, filed by STUDENTS FOR FAIR ADMISSIONS, INC.. (MCCARTHY, THOMAS) (Entered: 03/03/2021)
10/18/2021	254	<b>TRIAL FINDINGS OF FACT AND CONCLUSIONS OF LAW</b> signed by JUDGE LORETTA C. BIGGS on 10/18/2021. Judgment shall be entered on Counts I and II of Plaintiff's Complaint (ECF No. [1]) in favor of Defendants and against Plaintiff SFFA. FURTHER that attorneys fees and costs will be addressed under separate order. (Daniel, J) (Entered: 10/18/2021)
10/29/2021	255	MOTION to Withdraw as Attorney MARIANNE H. COMBS by on behalf of ROGER AIKEN, W. BISSETTE, JAMES DEAN, STEPHEN FARMER, JOHN FENNEBRESQUE, CAROL FOLT, H. FRAINGER, HANNAH GAGE, ANN GOODNIGHT, PETER HANS, THOMAS HARRELSON,

JA245

		<p>HENRY HINTON, JAMES HOLMES, RODNEY HOOD, W. KOTIS, G. LAIL, SCOTT LAMPE, STEVEN LONG, JOAN MACNEILL, HARI MATH, MARY ANN MAXWELL, W. MCMAHAN, W.G. MITCHELL, ANNA NELSON, ALEX PARKER, R. PARRISH, JOAN PERRY, THERENCE PICKETT, DAVID POWERS, ROBERT RIPPY, THOMAS ROSS, HARRY SMITH, J. SOUZA, GEORGE SYWASSINK, RICHARD TAYLOR, RAIFORD TRASK, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP WALKER, LAURA WILEY. (Attachments: # 1 Text of Proposed Order) (COMBS, MARIANNE) (Entered: 10/29/2021)</p>
10/29/2021		<p>Motion Referred: RE: 255 MOTION to Withdraw as Attorney MARIANNE H. COMBS, to MAG/JUDGE</p>

JA246

		JOE L. WEBSTER. (Blay, Debbie) (Entered: 10/29/2021)
10/29/2021		<b>TEXT ORDER</b> granting 255 Motion to Withdraw as Attorney. For good cause shown, Attorney Marianne H. Combs shall be withdrawn as counsel for Defendants in this matter. Issued by MAG/JUDGE JOE L. WEBSTER on 10/29/2021.(Lee, Pedra) (Entered: 10/29/2021)
11/01/2021	256	MOTION FOR ENTRY OF JUDGMENT ON A SEPARATE DOCUMENT re 254 Order, by STUDENTS FOR FAIR ADMISSIONS, INC.. Response to Motion due by 11/22/2021 (MCCARTHY, THOMAS) (Entered: 11/01/2021)
11/02/2021		Motion Submitted: 256 MOTION FOR ENTRY OF JUDGMENT ON A SEPARATE DOCUMENT re 254 Order, to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 11/02/2021)
11/04/2021	257	<b>JUDGMENT</b> is entered on Counts I and II of Plaintiff's

JA247

		Complaint (ECF No. 1) in favor of Defendants and against Plaintiff SFFA. FURTHER that attorneys' fees and costs will be addressed, if necessary, under separate order. Signed by JUDGE LORETTA C. BIGGS on 11/4/2021. (Daniel, J) (Entered: 11/04/2021)
11/06/2021	258	NOTICE OF APPEAL as to 257 Judgment, 254 Order, 210 Order on Motion for Judgment on the Pleadings, 190 Memorandum Opinion and Order,,. Filing fee \$ 505, receipt number 0418-3167865. (MCCARTHY, THOMAS) (Entered: 11/06/2021)
11/08/2021	259	Electronic Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re: 258 Notice of Appeal. (Daniel, J) (Entered: 11/08/2021)
11/10/2021	260	NOTICE of Docketing Appeal from USCA re: 258 Notice of Appeal filed by STUDENTS FOR FAIR ADMISSIONS, INC. USCA Case Manager, Rachel J Lee. USCA Case

JA248

		Number 21-2263. (Daniel, J) (Entered: 11/10/2021)
11/15/2021	261	SUPREME COURT NOTICE of petition for writ of certiorari filed in this case and placed on the docket November 15, 2021 as No. 21-707. USCA Case Number 21-2263. (Daniel, J) Modified on 11/22/2021 to replace (Doc. 261) with correct image. (Entered: 11/22/2021)
12/30/2021	262	MOTION to Toll The Deadline for any Motion for Attorneys' Fees ( <i>Unopposed</i> ) by ROGER AIKEN, W. BISSETTE, JAMES DEAN, STEPHEN FARMER, JOHN FENNEBRESQUE, CAROL FOLT, H. FRAINGER, HANNAH GAGE, ANN GOODNIGHT, PETER HANS, THOMAS HARRELSON, HENRY HINTON, JAMES HOLMES, RODNEY HOOD, W. KOTIS, G. LAIL, SCOTT LAMPE, STEVEN LONG, JOAN MACNEILL, HARI MATH, MARY ANN MAXWELL, W. MCMAHAN, W.G. MITCHELL, ANNA NELSON, ALEX PARKER,



		R. PARRISH, JOAN PERRY, THERENCE PICKETT, DAVID POWERS, ROBERT RIPPY, THOMAS ROSS, HARRY SMITH, J. SOUZA, GEORGE SYWASSINK, RICHARD TAYLOR, RAIFORD TRASK, UNIVERSITY OF NORTH CAROLINA, UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, PHILLIP WALKER, LAURA WILEY. (FITZGERALD, PATRICK) (Entered: 12/30/2021)
12/30/2021		Motion Submitted: 262 MOTION to Toll The Deadline for any Motion for Attorneys' Fees ( <i>Unopposed</i> ) to JUDGE LORETTA C. BIGGS. (Blay, Debbie) (Entered: 12/30/2021)
01/03/2022	263	<b>ORDER</b> signed by JUDGE LORETTA C. BIGGS on 12/30/2021; that the motion (ECF No. 262) is GRANTED and the deadline for any motion for attorneys' fees is tolled until 60 days after the

## JA250

		final conclusion of all appellate proceedings. (Sheets, Jamie) (Entered: 01/03/2022)
01/24/2022	264	<b>SUPREME COURT ORDER.</b> The petition for a writ of certiorari before judgment is granted. The petition for a writ of certiorari in No. 20-1199 is granted. The cases are consolidated, and a total of one hour is allotted for oral argument. USCA Case Number 21-2263. (Sheets, Jamie) (Entered: 01/25/2022)
01/31/2022	265	<b>USCA ORDER</b> Upon consideration of appellant's motion for abeyance, the court grants the motion and places this case in abeyance pending a decision by the United States Supreme Court in <i>Students for Fair Admissions v. University of North Carolina, et al.</i> , No. 21-707. Counsel shall immediately notify this court upon issuance of a decision by the Supreme Court. USCA Case Number 21-2263. (Sheets, Jamie) (Entered: 01/31/2022)

JA251

***Students for Fair Admissions, Inc. v.  
University of North Carolina; et al.,  
21-2263 (4th Cir.)***

11/10/2021	1	Case docketed. Originating case number: 1:14-cv-00954-LCB-JLW. Case manager: RachelLee. [21-2263] RJL [Entered: 11/10/2021 12:42 PM]
11/10/2021	2	DOCKETING NOTICE issued Re: [1] case. Originating case number: 1:14-cv-00954-LCB-JLW. Mailed to: Patrick Fitzgerald, David Hinojosa, Daniel Ruley, Glenn Schlactus, and Amy Van Gelder. [21-2263] RJL [Entered: 11/10/2021 12:44 PM]
11/10/2021	3	NOTICE ISSUED to John Michael Connolly re: change of address. Mailed to: Patrick Fitzgerald, David Hinojosa, Daniel Ruley, Glenn Schlactus, and Amy Van Gelder. [21-2263] RJL [Entered: 11/10/2021 12:48 PM]

JA252

11/15/2021	4	(ENTRY RESTRICTED) APPEARANCE OF COUNSEL by Thomas R. McCarthy for Students for Fair Admissions, Inc.. [1001058666] [21-2263]--[Edited 11/16/2021 by RJL- correction at ECF#7]) Thomas McCarthy [Entered: 11/15/2021 02:43 PM]
11/15/2021	5	DISCLOSURE STATEMENT by Students for Fair Admissions, Inc.. Was any question on Disclosure Form answered yes? No [1001058668] [21-2263] Thomas McCarthy [Entered: 11/15/2021 02:44 PM]
11/15/2021	6	Docket correction requested from Students for Fair Admissions, Inc. Re: [4] appearance of counsel. Access to appearance of counsel has been restricted to case participants. [21-2263] RJL [Entered: 11/15/2021 03:04 PM]
11/15/2021	7	Corrected APPEARANCE OF COUNSEL by Thomas R. McCarthy for Students for Fair Admissions, Inc.. [1001058718] [21-2263] Thomas McCarthy [Entered: 11/15/2021 03:11 PM]

11/15/2021	18	<p>SUPREME COURT  REMARK--petition for writ of certiorari filed. 11/11/2021. 21-707. [21-2263] EB [Entered: 11/22/2021 10:06 AM]</p>
11/16/2021	8	<p>APPEARANCE OF  COUNSEL by Ryan Y. Park for Roger Aiken, All Defendants, W. Louis Bissette, Jr., James W. Dean, Jr., Stephen M. Farmer, John C. Fennebresque, Carol L. Folt, H. Frank Frainger, Hannah D. Gage, Ann B. Goodnight, Peter D. Hans, Thomas J. Harrelson, Henry W. Hinton, James L. Holmes, Jr., Rodney E. Hood, W. Marty Kotis, III, G. Leroy Lail, Scott Lampe, Steven B. Long, Joan G. MacNeill, Hari H. Math, Mary Ann Maxwell, W. Edwin McMahan, W. G. Champion Mitchell, Anna Spangler Nelson, Alex Parker, R. Doyle Parrish, Joan Templeton Perry, Therence O. Pickett, David M. Powers, Robert S. Rippy, Thomas W. Ross, Harry Leo Smith, Jr., J. Craig Souza, George A. Sywassink, Richard</p>

JA254

		F. Taylor, Raiford Trask, III, UNC, University of North Carolina at Chapel Hill, University of North Carolina Board of Governors, Phillip D. Walker and Laura I. Wiley. [1001059689] [21-2263] Ryan Park [Entered: 11/16/2021 03:37 PM]
11/16/2021	9	APPEARANCE OF COUNSEL by Stephanie A. Brennan for Roger Aiken, All Defendants, W. Louis Bissette, Jr., James W. Dean, Jr., Stephen M. Farmer, John C. Fennebresque, Carol L. Folt, H. Frank Frainger, Hannah D. Gage, Ann B. Goodnight, Peter D. Hans, Thomas J. Harrelson, Henry W. Hinton, James L. Holmes, Jr., Rodney E. Hood, W. Marty Kotis, III, G. Leroy Lail, Scott Lampe, Steven B. Long, Joan G. MacNeill, Hari H. Math, Mary Ann Maxwell, W. Edwin McMahan, W. G. Champion Mitchell, Anna Spangler Nelson, Alex Parker, R. Doyle Parrish, Joan Templeton Perry, Therence O. Pickett, David M. Powers,

		<p>Robert S. Rippy, Thomas W. Ross, Harry Leo Smith, Jr., J. Craig Souza, George A. Sywassink, Richard F. Taylor, Raiford Trask, III, UNC, University of North Carolina at Chapel Hill, University of North Carolina Board of Governors, Phillip D. Walker and Laura I. Wiley.  [1001059692] [21-2263]  Stephanie Brennan [Entered: 11/16/2021 03:38 PM]</p>
11/16/2021	10	<p>APPEARANCE OF COUNSEL by Tamika L. Henderson for Roger Aiken, All Defendants, W. Louis Bissette, Jr., James W. Dean, Jr., Stephen M. Farmer, John C. Fennebresque, Carol L. Folt, H. Frank Frainger, Hannah D. Gage, Ann B. Goodnight, Peter D. Hans, Thomas J. Harrelson, Henry W. Hinton, James L. Holmes, Jr., Rodney E. Hood, W. Marty Kotis, III, G. Leroy Lail, Scott Lampe, Steven B. Long, Joan G. MacNeill, Hari H. Math, Mary Ann Maxwell, W. Edwin McMahan, W. G. Champion Mitchell, Anna Spangler Nelson, Alex Parker,</p>

		<p>R. Doyle Parrish, Joan Templeton Perry, Therence O. Pickett, David M. Powers, Robert S. Rippy, Thomas W. Ross, Harry Leo Smith, Jr., J. Craig Souza, George A. Sywassink, Richard F. Taylor, Raiford Trask, III, UNC, University of North Carolina at Chapel Hill, University of North Carolina Board of Governors, Phillip D. Walker and Laura I. Wiley.  [1001059696] [21-2263]  Tamika Henderson [Entered: 11/16/2021 03:40 PM]</p>
11/16/2021	11	<p>DISCLOSURE STATEMENT by University of North Carolina at Chapel Hill. Was any question on Disclosure Form answered yes? No [1001059698] [21-2263] Ryan Park [Entered: 11/16/2021 03:42 PM]</p>
11/16/2021	12	<p>DISCLOSURE STATEMENT by University of North Carolina Board of Governors. Was any question on Disclosure Form answered yes? No [1001059700] [21-2263] Ryan Park [Entered: 11/16/2021 03:43 PM]</p>



<p>11/16/2021</p>	<p>13</p>	<p>DISCLOSURE STATEMENT            by Roger Aiken, All            Defendants, W. Louis Bissette,            Jr., James W. Dean, Jr.,            Stephen M. Farmer, John C.            Fennebresque, Carol L. Folt,            H. Frank Frainger, Hannah D.            Gage, Ann B. Goodnight, Peter            D. Hans, Thomas J. Harrelson,            Henry W. Hinton, James L.            Holmes, Jr., Rodney E. Hood,            W. Marty Kotis, III, G. Leroy            Lail, Scott Lampe, Steven B.            Long, Joan G. MacNeill, Hari            H. Math, Mary Ann Maxwell,            W. Edwin McMahan, W. G.            Champion Mitchell, Anna            Spangler Nelson, Alex Parker,            R. Doyle Parrish, Joan            Templeton Perry, Therence O.            Pickett, David M. Powers,            Robert S. Rippy, Thomas W.            Ross, Harry Leo Smith, Jr., J.            Craig Souza, George A.            Sywassink, Richard F. Taylor,            Raiford Trask, III, Phillip D.            Walker and Laura I. Wiley.            Was any question on            Disclosure Form answered yes?            No [1001059701] [21-2263]            Ryan Park [Entered:            11/16/2021 03:44 PM]</p>
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JA258

11/17/2021	14	NOTICE ISSUED re: case caption. [21-2263] RJL [Entered: 11/17/2021 03:59 PM]
11/19/2021	15	APPEARANCE OF COUNSEL by Jack Holtzman for Luis Acosta, Andrew Brennen, Christopher Jackson, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Star Wingate-Bey and Tamika Williams. [1001061911] [21-2263] Jack Holtzman [Entered: 11/19/2021 10:33 AM]
11/19/2021	16	DISCLOSURE STATEMENT by Luis Acosta, Andrew Brennen, Christopher Jackson, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams and Star Wingate-Bey. Was any question on Disclosure Form answered yes? No [1001061921] [21-2263] Jack Holtzman [Entered: 11/19/2021 10:38 AM]
11/19/2021	17	NOTICE ISSUED re: case caption. [21-2263] RJL [Entered: 11/19/2021 11:45 AM]

JA259

11/23/2021	19	APPEARANCE OF COUNSEL by Sarah Laws for Luis Acosta, Andrew Brennen, Christopher Jackson, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams and Star Wingate-Bey. [1001064296] [21-2263] Sarah Laws [Entered: 11/23/2021 11:25 AM]
11/23/2021	20	APPEARANCE OF COUNSEL by Reed Colfax for Luis Acosta, Andrew Brennen, Christopher Jackson, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams and Star Wingate-Bey. [1001064369] [21-2263] Reed Colfax [Entered: 11/23/2021 12:01 PM]
11/23/2021	21	APPEARANCE OF COUNSEL by David Hinojosa for Luis Acosta, Andrew Brennen, Christopher Jackson, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams and Star Wingate-Bey. [1001064844] [21-2263] David Hinojosa [Entered: 11/23/2021 04:40 PM]

JA260

11/24/2021	22	APPEARANCE OF COUNSEL by Genevieve Bonadies Torres for Luis Acosta, Andrew Brennen, Christopher Jackson, Ramonia Jones, Angie Mills, Kevin Mills, Julia Nieves, Laura Ornelas, Cecilia Polanco, Tamika Williams and Star Wingate-Bey. [1001064954] [21-2263] Genevieve Torres [Entered: 11/24/2021 08:24 AM]
11/24/2021	23	DOCKETING STATEMENT by Students for Fair Admissions, Inc.. [1001065473] [21-2263] Thomas McCarthy [Entered: 11/24/2021 05:04 PM]
11/29/2021	24	BRIEFING ORDER filed. Paper copy requirements are temporarily suspended unless the case is under pre-argument review or being scheduled for argument, in which case a total of four paper copies of formal briefs and appendices are required. [1001065647] Opening Brief and Appendix due 01/10/2022. Response Brief due 02/09/2022. [21-2263] RJL [Entered: 11/29/2021 08:56 AM]

JA261

11/29/2021	25	APPEARANCE OF COUNSEL by Cameron T. Norris for Students for Fair Admissions, Inc.. [1001065689] [21-2263] Cameron Norris [Entered: 11/29/2021 09:28 AM]
11/29/2021	26	APPEARANCE OF COUNSEL by J. Michael Connolly for Students for Fair Admissions, Inc.. [1001066172] [21-2263] John Connolly [Entered: 11/29/2021 01:23 PM]
12/01/2021	27	MOTION by Students for Fair Admissions, Inc. for abeyance pending the Supreme Court's Resolution of SFFA's Petition for Certiorari Before Judgment. Date and method of service: 12/01/2021 ecf. [1001068431] [21-2263]--[Edited 12/14/2021 by MFT-relief modified] Thomas McCarthy [Entered: 12/01/2021 10:22 PM]
12/02/2021	28	NOTICE ISSUED to Luis Acosta, Roger Aiken, All Defendants, W. Louis Bissette, Jr., Andrew Brennen, James W. Dean, Jr., Stephen M. Farmer, John C. Fennebresque, Carol L. Folt,

	<p>H. Frank Frainger, Hannah D. Gage, Ann B. Goodnight, Peter D. Hans, Thomas J. Harrelson, Henry W. Hinton, James L. Holmes, Jr., Rodney E. Hood, Christopher Jackson, Ramonia Jones, W. Marty Kotis, III, G. Leroy Lail, Scott Lampe, Steven B. Long, Joan G. MacNeill, Hari H. Math, Mary Ann Maxwell, W. Edwin McMahan, Angie Mills, Kevin Mills, W. G. Champion Mitchell, Anna Spangler Nelson, Julia Nieves, Laura Ornelas, Alex Parker, R. Doyle Parrish, Joan Templeton Perry, Therence O. Pickett, Cecilia Polanco, David M. Powers, Robert S. Rippy, Thomas W. Ross, Harry Leo Smith, Jr., J. Craig Souza, George A. Sywassink, Richard F. Taylor, Raiford Trask, III, UNC, University of North Carolina Board of Governors, University of North Carolina at Chapel Hill, Phillip D. Walker, Laura I. Wiley, Tamika Williams and Star Wingate-Bey requesting response to Motion to suspend [27]. Response due 12/13/2021.[1001068592]</p>
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JA263

		[1001068592] [21-2263] RJL [Entered: 12/02/2021 09:39 AM]
12/08/2021	29	APPEARANCE OF COUNSEL by Lara A. Flath for All Defendants, Roger Aiken, W. Louis Bissette, Jr., James W. Dean, Jr., Stephen M. Farmer, John C. Fennebresque, Carol L. Folt, H. Frank Frainger, Hannah D. Gage, Ann B. Goodnight, Peter D. Hans, Thomas J. Harrelson, Henry W. Hinton, James L. Holmes, Jr., Rodney E. Hood, W. Marty Kotis, III, G. Leroy Lail, Scott Lampe, Steven B. Long, Joan G. MacNeill, Hari H. Math, Mary Ann Maxwell, W. Edwin McMahan, W. G. Champion Mitchell, Anna Spangler Nelson, Alex Parker, R. Doyle Parrish, Joan Templeton Perry, Therence O. Pickett, David M. Powers, Robert S. Rippy, Thomas W. Ross, Harry Leo Smith, Jr., J. Craig Souza, George A. Sywassink, Richard F. Taylor, Raiford Trask, III, UNC, University of North Carolina at Chapel Hill, University of North Carolina Board of Governors, Phillip D.

JA264

		Walker and Laura I. Wiley. [1001071619] [21-2263] Lara Flath [Entered: 12/08/2021 11:37 AM]
12/10/2021	30	APPEARANCE OF COUNSEL by Patrick J. Fitzgerald for Roger Aiken, All Defendants, W. Louis Bissette, Jr., James W. Dean, Jr., Stephen M. Farmer, John C. Fennebresque, Carol L. Folt, H. Frank Frainger, Hannah D. Gage, Ann B. Goodnight, Peter D. Hans, Thomas J. Harrelson, Henry W. Hinton, James L. Holmes, Jr., Rodney E. Hood, W. Marty Kotis, III, G. Leroy Lail, Scott Lampe, Steven B. Long, Joan G. MacNeill, Hari H. Math, Mary Ann Maxwell, W. Edwin McMahan, W. G. Champion Mitchell, Anna Spangler Nelson, Alex Parker, R. Doyle Parrish, Joan Templeton Perry, Therence O. Pickett, David M. Powers, Robert S. Rippy, Thomas W. Ross, Harry Leo Smith, Jr., J. Craig Souza, George A. Sywassink, Richard F. Taylor, Raiford Trask, III, UNC, University of North Carolina at Chapel Hill,



		<p>University of North Carolina Board of Governors, Phillip D. Walker and Laura I. Wiley. [1001073207] [21-2263] Patrick Fitzgerald [Entered: 12/10/2021 04:24 PM]</p>
<p>12/13/2021</p>	<p>31</p>	<p>APPEARANCE OF COUNSEL by Amy L. Van Gelder for Roger Aiken, All Defendants, W. Louis Bissette, Jr., James W. Dean, Jr., Stephen M. Farmer, John C. Fennebresque, Carol L. Folt, H. Frank Frainger, Hannah D. Gage, Ann B. Goodnight, Peter D. Hans, Thomas J. Harrelson, Henry W. Hinton, James L. Holmes, Jr., Rodney E. Hood, W. Marty Kotis, III, G. Leroy Lail, Scott Lampe, Steven B. Long, Joan G. MacNeill, Hari H. Math, Mary Ann Maxwell, W. Edwin McMahan, W. G. Champion Mitchell, Anna Spangler Nelson, Alex Parker, R. Doyle Parrish, Joan Templeton Perry, Therence O. Pickett, David M. Powers, Robert S. Rippy, Thomas W. Ross, Harry Leo Smith, Jr., J. Craig Souza, George A. Sywassink, Richard F. Taylor, Raiford Trask, III, UNC,</p>

		University of North Carolina at Chapel Hill, University of North Carolina Board of Governors, Phillip D. Walker and Laura I. Wiley. [1001073617] [21-2263] Amy Van Gelder [Entered: 12/13/2021 11:39 AM]
12/13/2021	32	RESPONSE/ANSWER by Roger Aiken, W. Louis Bissette, Jr., James W. Dean, Jr., Stephen M. Farmer, John C. Fennebresque, Carol L. Folt, H. Frank Frainger, Hannah D. Gage, Ann B. Goodnight, Peter D. Hans, Thomas J. Harrelson, Henry W. Hinton, James L. Holmes, Jr., Rodney E. Hood, W. Marty Kotis, III, G. Leroy Lail, Scott Lampe, Steven B. Long, Joan G. MacNeill, Hari H. Math, Mary Ann Maxwell, W. Edwin McMahan, W. G. Champion Mitchell, Anna Spangler Nelson, Alex Parker, R. Doyle Parrish, Joan Templeton Perry, Therence O. Pickett, David M. Powers, Robert S. Rippy, Thomas W. Ross, Harry Leo Smith, Jr., J. Craig Souza, George A. Sywassink, Richard F. Taylor, Raiford Trask, III, UNC, University of North

		<p>Carolina at Chapel Hill,  University of North Carolina  Board of Governors, Phillip D.  Walker and Laura I. Wiley to  Motion [27], notice requesting  response [28]. Nature of  response: in opposition.  [1001074018] [21-2263] Ryan  Park [Entered: 12/13/2021 04:47  PM]</p>
12/13/2021	33	<p>APPEARANCE OF COUNSEL  by Sarah G. Boyce for Roger  Aiken, W. Louis Bissette, Jr.,  James W. Dean, Jr., Stephen  M. Farmer, John C.  Fennebresque, Carol L. Folt,  H. Frank Frainger, Hannah D.  Gage, Ann B. Goodnight, Peter  D. Hans, Thomas J.  Harrelson, Henry W. Hinton,  James L. Holmes, Jr., Rodney  E. Hood, W. Marty Kotis, III,  G. Leroy Lail, Scott Lampe,  Steven B. Long, Joan G.  MacNeill, Hari H. Math, Mary  Ann Maxwell, W. Edwin  McMahan, W. G. Champion  Mitchell, Anna Spangler  Nelson, Alex Parker, R. Doyle  Parrish, Joan Templeton  Perry, Therence O. Pickett,</p>

		<p>David M. Powers, Robert S. Rippy, Thomas W. Ross, Harry Leo Smith, Jr., J. Craig Souza, George A. Sywassink, Richard F. Taylor, Raiford Trask, III, UNC, University of North Carolina at Chapel Hill, University of North Carolina Board of Governors, Phillip D. Walker and Laura I. Wiley.          [1001074064] [21-2263] Sarah Boyce [Entered: 12/13/2021 05:12 PM]</p>
<p>12/13/2021</p>	<p>34</p>	<p>APPEARANCE OF COUNSEL by Nicholas S. Brod for Roger Aiken, W. Louis Bissette, Jr., James W. Dean, Jr., Stephen M. Farmer, John C. Fennebresque, Carol L. Folt, H. Frank Frainger, Hannah D. Gage, Ann B. Goodnight, Peter D. Hans, Thomas J. Harrelson, Henry W. Hinton, James L. Holmes, Jr., Rodney E. Hood, W. Marty Kotis, III, G. Leroy Lail, Scott Lampe, Steven B. Long, Joan G. MacNeill, Hari H. Math, Mary Ann Maxwell, W. Edwin McMahan, W. G. Champion Mitchell, Anna Spangler Nelson, Alex Parker, R. Doyle Parrish, Joan Templeton</p>

		<p>Perry, Therence O. Pickett, David M. Powers, Robert S. Rippy, Thomas W. Ross, Harry Leo Smith, Jr., J. Craig Souza, George A. Sywassink, Richard F. Taylor, Raiford Trask, III, UNC, University of North Carolina at Chapel Hill, University of North Carolina Board of Governors, Phillip D. Walker and Laura I. Wiley. [1001074099] [21-2263] Nicholas Brod [Entered: 12/13/2021 05:33 PM]</p>
12/13/2021	35	<p>RESPONSE/ANSWER by Luis Acosta, Cecilia Polanco, Star Wingate-Bey, Andrew Brennen and Laura Ornelas to Motion to suspend [27], notice requesting response [28]. Nature of response: in opposition. [1001074159] [21-2263] David Hinojosa [Entered: 12/13/2021 07:40 PM]</p>
12/15/2021	36	<p>COURT ORDER filed denying motion for abeyance [27]. Copies to all parties. [1001075693] [21-2263] TW [Entered: 12/15/2021 04:36 PM]</p>

JA270

12/16/2021	37	MOTION by Students for Fair Admissions, Inc. to extend filing time for opening brief and appendix until February 9, 2022.. Date and method of service: 12/16/2021 ecf. [1001076552] [21-2263] John Connolly [Entered: 12/16/2021 05:58 PM]
12/17/2021	38	ORDER filed granting Motion to extend filing time [37] Number of days granted: 30. Opening brief and appendix due 02/09/2022. Response brief due 03/11/2022. Paper copy requirements are temporarily suspended unless the case is under pre-argument review or being scheduled for argument, in which case a total of four paper copies of formal briefs and appendices are required. Copies to all parties. [1001076938] [21-2263] TW [Entered: 12/17/2021 11:19 AM]
01/24/2022	39	SUPREME COURT REMARK--petition for writ of certiorari granted. 01/24/2022 [21-2263] EB [Entered: 01/25/2022 10:36 AM]

JA271

01/26/2022	40	MOTION by Students for Fair Admissions, Inc. to place case in abeyance.. Date and method of service: 01/26/2022 ecf. [1001099330] [21-2263] John Connolly [Entered: 01/26/2022 09:36 PM]
01/27/2022	41	ORDER filed suspending briefing. Copies to all parties. [1001099451] [21-2263] RJL [Entered: 01/27/2022 08:36 AM]
01/31/2022	42	COURT ORDER filed granting Motion for abeyance [40]. Case 21-2263 placed in abeyance pending decision in 21-707 from U. S. Supreme Court. Copies to all parties. [1001101098] [21-2263] RJL [Entered: 01/31/2022 10:41 AM]

JA272

Dkt. 107

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA

CASE NO. 1:14-CV-954

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 THE UNIVERSITY OF NORTH )  
 CAROLINA AT CHAPEL HILL, et al., )  
 )  
 Defendants. )

---

**DEFENDANTS' MEMORANDUM OF LAW IN  
SUPPORT OF THEIR MOTION TO DISMISS  
UNDER FRCP 12(b)(1)**

**[REDACTED]**

\* \* \*

[pp. 8-14]

a traditional membership organization and emphasizing that “[plaintiff’s] members and its President aver that they participate actively in CSE’s operations”).

Discovery in this litigation, including the testimony of SFFA’s President and a member designated for



standing purposes, revealed that SFFA's members *do not* play a meaningful role in the organization beyond the mere act of joining, much less serve in leadership roles. For example, after joining, individuals have no responsibilities or duties in the organization. Ex. 3, Deposition of Standing Member #1 ("Standing Member #1 Dep."), at 46:8-10 (Q. Do you have any duties or responsibilities just in the ordinary course per month or year as a member? A. No.). Similarly, SFFA has no committees for its constituents to serve on, meetings to attend, or activities to participate in. *See* Ex. 2, Blum Dep., at 114:21-116:1. Besides a teleconference every few months, there are no organizational opportunities for SFFA's constituents to interact with each other or the organization's leadership. *Id.*

Nor does membership in SFFA confer many rights. Indeed, SFFA's original bylaws did not grant members any rights at all. Ex. 4, SFFA Original Bylaws, at Section 3.02. Even the amended bylaws provide only the right to vote for a single director and the right to resign. Ex. 5, SFFA Amended Bylaws, at Sections 3.02, 3.03. Thus, without any responsibilities and with rights that are limited at best, SFFA's constituents do not have "a sufficiently active affiliation with the organization," *Disability Advocates*, 675 F.3d at 158-59; do not "participate actively" in SFFA's operations, *Ctr. for Sustainable Econ.*, 779 F.3d at 598; and do not have "active, voluntary involvement" in SFFA, *Concerned Citizens*, 686 F. Supp. 2d at 675. With such a limited role, SFFA's constituents cannot be considered "members" for standing purposes.

The testimony of the individual that SFFA designated to assert standing demonstrates how uninvolved SFFA's constituents are with the organization. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]; Ex. 3, Standing Member #1 Dep., at 36:15-38:6. [REDACTED]

[REDACTED].

[REDACTED]:

- Standing Member # 1 does not read emails or communications from SFFA. (Ex 3, Standing Member # 1 Dep., at 51:2-9) (Q. Do you ever receive any communications from Students For Fair Admissions? A. Not that I know of. I probably, if they have an email list, I probably get emails but I generally ignore most emails unless they are of particular importance, so. Q. So it -- okay. And that would have been emails, if you received any, you would have ignored them? A. Yes.).
- Standing Member # 1 does not know what SFFA does on a day-to-day basis. (*Id* at 18:16-18.)
- Standing Member # 1 has never made a donation or paid dues to SFFA. (*Id.* at 38:13-17.)
- Standing Member # 1 does not participate in SFFA activities, besides preparing for a deposition and submitting a declaration for this

lawsuit. (*Id.* at 44:21-25) (when asked about his participation since becoming a member, Standing Member #1 responded “I had to make a declaration and appear here today [to be deposed], no other responsibilities”).

- Standing Member # 1 was not aware that SFFA had held an election for a director, and did not even know that a member had the right to vote in such an election until SFFA’s lawyers said so a week before the deposition. (*Id.* at 46:14-25) (Q. Okay. Any others [i.e. member rights] that you can think of? A. The right to vote for one of the board positions. Q. And how do you know that you have that right? A. Because I was told. Q. By who? A. By legal counsel. Q. Okay. When? A. Recently, like the last week or so. Q. Okay. Before that point in time, did you know that you had a right to vote for -- vote for any position in the organization? A. No.).

Thus, except for giving a name and address to SFFA in August 2014 and preparing for a deposition in June 2017, even SFFA’s hand-picked representative has been virtually uninvolved in the organization. Such minimal involvement does not constitute meaningful participation in the organization.

## **2. SFFA is Not a Constituent-Funded Organization.**

In addition to not participating generally in the organization and not serving in leadership roles, SFFA’s constituents provide almost none of the organization’s funding. The absence of constituent

funding is a factor that courts often rely upon when ruling that an organization lacks eligibility for representational standing. *See e.g., Nestle Ice Cream Co. v. N.L.R.B.*, 46 F.3d 578, 586 (6th Cir. 1995) (concluding that plaintiff union lacked representational standing to represent employees because they lacked indicia of membership in an organization, specifically, that “[t]he employees had no power to elect Teamsters officials [and] did not finance the Teamsters”); *Package Shop*, 1984 WL 6618, at \*40 (granting motion to dismiss and noting that members “do not finance the organization, except indirectly, through their one-time contribution”). In contrast, being entirely member-financed weighs in favor of representational standing. *See Concerned Citizens*, 686 F. Supp. 2d at 676 (finding that organization had representational standing, in part because it had “no external financing” at all).

Here, SFFA’s affirmative representations make clear that it is not constituent-funded. In fact,

Ex. 6, Plaintiff’s Second Amended Objections and Responses to Defendants’ First Combined Discovery Requests to Plaintiff (“Plaintiff’s Second Amended Responses”), Response to Interrogatory No. 5 at p. 8. In 2015 alone, the Searle Freedom Trust gave SFFA \$500,000. Ex. 7, Form 990-PF: Return of Private Foundation for The Searle Freedom Trust, 2015, at p. 28 (retrieved from [http://990.eriari.com/EINS/367244615/367244615\\_2015\\_0d942bf4.PDF](http://990.eriari.com/EINS/367244615/367244615_2015_0d942bf4.PDF)). Additionally, SFFA’s initial funding came from the Project on Fair Representation—another

litigation vehicle controlled by SFFA's founder, Mr. Blum. Ex. 8, 501(c)(3) Application of Students for Fair Admissions, at SFFA-UNC 0000046.

In contrast, [REDACTED] Ex. 6, Plaintiff's Second Amended Responses, Response to Interrogatory No. 5 at p. 8. [REDACTED]

[REDACTED] With such a miniscule portion of funding coming from members, SFFA cannot be considered a member-funded organization.

Additionally, SFFA has collected very little money in the form of dues from members. SFFA originally had no dues requirement. Ex. 4, Original Bylaws, at Sections 3.01-3.02. Only beginning in June 2015 did SFFA require new members to pay a one-time \$10 fee upon joining. Ex. 5, Amended Bylaws at Sections 3.01-3.02. SFFA has received approximately \$1,000—a minuscule amount of its total funding of more than \$2.8 million—from membership dues. Ex. 2, Blum Dep. at 73:23-24 (about a hundred new members have paid the \$10 membership fee). But even if more people had paid a fee upon joining the organization, an indirect, “one-time contribution” is not enough to make SFFA a member-funded organization. *See Package Shop*, 1984 WL 6618 at \*40 (concluding that organization could not sue on behalf of members, in part because “members do not finance the organization, except indirectly, through their one-time contribution”).

### **3. SFFA's Leadership Structure Does Not Provide Sufficient Ways For Constituents to Control or Influence the Organization.**

Finally, the constituents that SFFA purportedly represents do not have any meaningful control or influence over the organization. For example, electing an organization's leaders is often considered a critical component of eligibility for representational standing. *See e.g. Nestle Ice Cream*, 46 F.3d at 586 (employees lacked indicia of membership in plaintiff union, in part because "[t]he employees had no power to elect Teamsters officials"); *Disability Advocates*, 675 F.3d at 159 (organization lacked representational standing because it did not provide evidence that its constituents had the power to elect directors or influence activities). In addition to elections, courts have looked at other ways constituents control or influence an organization. To illustrate, if constituents exercise control or influence through means such as advisory committees, courts have been more likely to find that the organization has representational standing. *See, e.g., Stincer*, 175 F.3d at 886 (advocacy organization created for people with mental health disabilities had representational standing, in part because its governing board was *required* to include constituents, and because 60% of the organization's advisory council, including the chair, was *required* to be constituents); *AARP*, 226 F. Supp. 3d at 17 (finding that AARP has representational standing in part because its members serve on committees that advise the board and guide AARP activities through annual polls and surveys).

Even pursuant to a broad interpretation of control or influence over an organization, however, SFFA lacks these characteristics.

First, the board of directors is almost entirely self-appointed, which weighs heavily against a finding that SFFA has representational standing. *See Package Shop*, 1984 WL 6618 at \*40 (granting motion to dismiss and questioning plaintiff's status as a membership organization in part because "[t]he organization essentially is run by people who are self-appointed"). SFFA's three original directors—the current president, secretary, and treasurer—were self-appointed. Ex. 9, SFFA's Articles of Incorporation, at ¶ 3. Even when SFFA expanded the board to five positions, four of the five directors remained self-appointed. *See* Ex. 5, SFFA Amended Bylaws, at Section 4.02 (allowing only a single director to be elected by members). Additionally, Mr. Blum, as president, performs nearly all of the board's work himself:

- Mr. Blum manages the day-to-day activities of the organization, including communications with counsel and constituents, outreach, and media relations (Ex. 2 (Blum Dep.) at 53:24-25);
- Mr. Blum does fundraising work, including drafting grant proposals, sending grant proposals, following up on grant proposals, making presentations to foundations, making presentations to individuals, and making phone calls to individuals and foundations (*Id.* at 46:18-22);

- Mr. Blum prepares agendas for phone calls among board members (*Id.* at 51:14-24);
- Mr. Blum gives speeches and presentations (*Id.* at 112:7-13); and
- Mr. Blum approves content for social media campaigns (*Id.* at 21:21-24).

Because SFFA has only a single elected director, and because the president effectively runs the organization by himself, SFFA “essentially is run by people who are self-appointed” and lacks representational standing. *See Package Shop*, 1984 WL 6618 at \*40.

Second, SFFA’s leadership structure does not allow constituents to exercise meaningful control or influence over the organization. SFFA has no member committees that would allow constituents to control or influence the organization. *See Ex. 2, Blum Dep.*, at 114:21-116:1. *Cf. Stincer*, 175 F.3d at 886 (advocacy organization created for people with mental health disabilities had representational standing, in part because its governing board was *required* to include constituents, and because 60% of the organization’s advisory council, including the chair, was *required* to be constituents); *AARP*, 226 F. Supp. 3d at 17 (finding that members could influence plaintiff organization by serving on board advisory committees). SFFA’s constituents cannot remove a director for any reason, which means they can neither use nor threaten removal as a way of controlling directors. *Ex. 2, Blum Dep.*, at 50:5-11. Thus, SFFA’s organizational structure allows a largely self-appointed board to operate without



JA281

meaningful control or influence by its constituents. This leadership framework is not one of the “indicia of membership” under *Hunt*. See also *Package Shop*, 1984 WL 6618, at \*41 (granting

\* \* \*

JA282

Dkt. 107-2

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA

CASE NO.: 1:14-CV-954

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STUDENTS FOR FAIR ADMISSIONS, INC.,	)
	)
Plaintiff,	)
	)
v.	)
	)
THE UNIVERSITY OF NORTH	)
CAROLINA AT CHAPEL HILL, et al.,	)
	)
Defendants.	)

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SUBJECT TO CONFIDENTIALITY  
AND PROTECTIVE ORDER

DEPOSITION OF EDWARD BLUM, INDIVIDUALLY  
AND AS THE RULE 30 (B) (6) DESIGNEE OF  
STUDENTS FOR FAIR ADMISSIONS, INC.

(Taken by Defendants)  
Charlotte, North Carolina  
May 12, 2017

Reported by: Dayna H. Lowe  
Court Reporter  
Notary Public

\* \* \*

[Dkt. 107-2, ECF pp. 6-8]

Q. So approximately four times per year?

A. Approximately four times. Some -- most years a minimum of four. Sometimes a meeting will be called to discuss an individual matter.

Q. Understood. Without asking about what occurred in any particular meeting, and again staying general, do those meetings occur in person?

A. They're telephonic.

Q. And have each of them been telephonic?

A. Yes.

Q. Has the board ever, to your knowledge, met in person?

A. No.

Q. And again without getting into the substance of any particular meeting, in advance of a meeting is there an agenda prepared to inform directors of what will be discussed at the meeting?

A. Yes.

Q. And are those agendas ones that you maintain?

A. Myself and counsel typically provide an email to the board members with topics to be discussed.

Q. Okay. Without telling me about the content of any particular agenda, who prepares the agenda?

A. It's a joint effort.

Q. And are there minutes kept of the meetings

MR. STRAWBRIDGE : I'd caution that you may generally describe types of things the board discusses at those meetings, but please do not disclose any specific discussions. Keep it general, as I understand the question calls for.

MR. SCUDDER : Yes.

A. We discuss the status of litigation. We discuss articles of interest that have appeared about our topic. We discuss future litigation.

BY MR. SCUDDER:

Q. Topically that's generally what comes to mind?

A. Yes.

Q. When you say -- and I'm not asking about any specifics. When you say "articles of interest," things that are published that appear in the press --

A. Yes.

Q. -- or scholarly literature or commentary and the like?

A. Correct.

Q. Who would you say manages the day-to-day activities of the organization?

A. I do.

Q. And what are those activities?

JA285

A. Communication with counsel, communication with members, fund-raising, outreach, media relations.

Q. With the quarterly meetings, approximately how long do they last?

MR. STRAWBRIDGE: I don't know –

BY MR. SCUDDER:

Q. I'm not asking you about any content or any topics of discussion. How long would you estimate they last on average?

MR. STRAWBRIDGE: Counsel, one second. As I understand the question, the question is on average how long does a board of directors meeting last, and you're not seeking information about the length of any particular meeting.

MR. SCUDDER: Exactly right.

MR. STRAWBRIDGE: You may -- consistent with our agreement, you may answer that question.

A. About 45 minutes.

BY MR. SCUDDER:

Q. Okay. How would you describe the mission or purposes of the organization, Students for Fair Admissions?

A. The mission is to eliminate the consideration of race in K through 12 admissions decisions and higher education admissions decisions.

JA286

Q. What are the means that the organization pursues to achieve that mission?

\* \* \*

[Dkt. 107-2, ECF pp. 10-15]

Q. Yes.

A. Yes.

Q. Okay. Can you approximate the percentage?

A. Well, let me see if I can quantify it for you. We did not assess a membership fee from inception through the date or shortly after the date of these amended bylaws.

Q. Right.

A. At that point we had over 20,000 members. When we assessed the membership fee, then our membership has continued to grow, but not anything like the numbers prior to that.

Q. Right. So what I am taking away is that at the time that the board made that decision in June of 2015, you had a membership in the area of 20,000 members. Today you have a membership in the ballpark of 21,500 members, so approximately 1500 members have been asked to pay a one-time assessment?

A. No. My numbers -- I think by the time we instituted and were able to actually have the mechanism to collect the \$10, which took some time, we have added I believe about a hundred new members who have paid their membership fee. Not the 1500.

JA287

Q. I see. You're just talking about the

MR. STRAWBRIDGE: We can go through the record.

BY MR. SCUDDER:

Q. Can you identify what percentage of that number of individuals, the 21,500 members of the organization, have not yet applied to college?

MR. STRAWBRIDGE: I think I have the same objection and the same instruction on that one.

BY MR. SCUDDER:

Q. What's the process for becoming a member? If an individual wanted to join, can you just walk me through that?

A. Sure. The Students for Fair Admissions website allows an individual to provide us his first and last name, I believe his ZIP code, his cell number optionally, and I do think there is a field in which the prospective new member can tell us a little bit about himself or herself, and there is a donate or a join button. Activating that button then takes the prospective member to a payment page in which the prospective member makes his \$10 donation via credit card and submits it. That person thereafter is a member of Students for Fair Admissions.

Q. Okay. If an individual goes through each of the steps that you just described, is there an join and been denied?

A. No.

JA288

Q. Does the organization do anything to recruit members?

A. Yes.

Q. Can you walk me through those activities?

A. What I detailed before. I'm invited to give talks, participate in forums. I encourage members and friends and associates to send the link, the membership link, to their friends and associates. We have -- we have engaged Engage DC to send the Students for Fair Admissions, I guess, portal to individuals who use social media and things like that.

Q. Okay. And then I think when you reference some of your -- you just alluded to your prior answers, the talks that you gave, for example, in northern and southern California to the Asian affinity groups. Would those fairly be characterized as, at least in part, recruiting in nature?

A. Yes.

Q. Upon joining, becoming a member and receiving the welcome letter that you described, are there any communications with members that inform them of rights, responsibilities, privileges, opportunities that associate with membership?

A. They have the right to elect a board member.

Q. Do they have any other rights?

A. They have the right to contact us, express opinions. They have, I guess, the right to resign if they



don't like our activities. They have no other rights that I know of than what I've just described.

Q. And apart from the request for the \$10 one-time assessment, do members have any obligations imposed upon them?

A. No.

Q. Do they have any responsibilities, any expectations of them --

A. No.

Q. -- communicated to them? And you testified earlier, I believe, that the election of a member director in fact occurred?

A. Yes.

Q Pursuant to the July 2015 amended bylaw provision?

A. Yes.

Q. Are there ever any in-person gatherings of the organization at which members attend? Just a means of -- do you ever do any in-person gatherings?

MR. STRAWBRIDGE: I guess I feel like that calls for --

MR. SCUDDER: I don't see how it's any different than email.

MR. STRAWBRIDGE: You're not asking for a specific gathering, you're just wanting to know generally what types of --

MR. SCUDDER: Not a date, I don't care who was there, who was not there.

MR. STRAWBRIDGE: You can answer that question.

A. Okay. We've never had a convention or anything like that. We've never had a formal invitation go out to 21,000 people asking them to join us in, you know, Milwaukee or St. Louis or something for a conference.

BY MR. SCUDDER:

Q. No. Understood. I just want to make sure -- and I don't want to pick on the word "convention," but a lot of times organizations will offer an opportunity to convene around an annual meeting. Quite common in the corporate world.

A. Yes.

Q. Right. You know that.

A. Sure.

Q. Okay. Is there any such opportunity that's extended to your membership here?

A. Just telephonic.

Q. Okay. I just want to ask about another means, not specific communications. Are members ever gathered in like a -- you know what I mean when I refer to it as like a chat room?

A. Yes.

JA291

Q. Is there ever any convening of the membership in a forum like that?

A. Informally.

Q. And what do you mean by that?

A. Many of our members are immigrant Chinese who make use of a social media platform called WeChat, and often I'm informed that there is a WeChat discussion group in progress discussing the Students for Fair Admissions and their activities.

Q. And you choose or not choose as you see fit to participate from there?

A. I always try to participate.

Q. I want to ask you about -- you referred to -- I think you called it an annual report or an annual letter?

A. Yes.

Q. Why don't we take a look at a couple of those if you don't mind.

A. Sure.

\* \* \*

JA292

Dkt. 107-3

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA

Case No. 1:14-CV-954

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
)  
Plaintiffs, )  
)  
v. )  
)  
THE UNIVERSITY OF NORTH )  
CAROLINA AT CHAPEL HILL, et al., )  
)  
Defendants. )

---

THE DEPOSITION OF [REDACTED] taken on behalf of the Defendants, before Suzanne G. Patterson, Registered Professional Reporter and Notary Public, at the Offices of North Carolina Department of Justice, 114 West Edenton Street, Raleigh, North Carolina, on Wednesday, June 21, 2017, commencing at the hour of 9:09 a.m.

\*\*\* THIS TRANSCRIPT IS HIGHLY CONFIDENTIAL \*\*\*

\*\*\* FOR ATTORNEYS' EYES ONLY \*\*\*

\* \* \*

[p. 18]

BY MR. SCUDDER:

Q. Okay.

A. I have also -- or I might have to retract part of my answer. I have also spoken with some of the lawyers involved in this case.

Q. Sure. Don't tell me what you've spoken to them about.

A. Of course.

Q. All right.

A. Should I name them?

Q. No. I assume there's a couple of them are sitting here and maybe there's others as well?

A. Yes.

Q. No problem.

A. And that is all that I can name.

Q. Okay. What does Students For Fair Admissions do from day-to-day?

A. I don't know.

Q. When did you first hear about the organization?

A. In the summer of 2014 or, I'm sorry, summer of 2013.

Q. Okay. How'd you hear about it?

A. Through my father.

Q. Okay. What'd your father tell you about it?

A. He told me that -- this was, actually, I guess

\* \* \*

[pp. 36-38]

A. Yes.

Q. Do you recall any other discussions with him? I think the answer is no but I just want to confirm that.

MR. STRAWBRIDGE: Object to the form of the question.

THE WITNESS: No.

BY MR. SCUDDER:

Q. Okay. If I said the name Corey Lou, do you recognize that name at all?

A. No.

Q. Okay. So you said earlier that at some point before the complaint was filed that you joined the organization as a member, do you remember that?

A. Yes.

Q. Okay. What did you have to do to join as a member?

A. I had to provide my name and address and I had to in some way share the goals of the organization.

JA295

Q. When you say, share the goals, meaning agree with the goals? What do you mean by, share the goals?

A. I mean agree with the mission statement of the organization in part or in whole.

Q. Did you have to fill out like a written application?

A. Oh, no, nothing like that.

Q. Okay. And what do you remember doing to become a member?

A. I remember giving my name and address to Edward or rather he -- I remember giving my address to Edward, he had my name and telling him that I would like to be a member.

Q. Okay. And -- but you didn't have to fill out any paperwork or anything?

A. No.

Q. That's all I'm trying to get at.

A. No.

Q. Okay. At that -- at that point in time, are you asked to make any kind of dues payment as a part of joining?

A. No, there was not.

Q. Have you since been asked to make a dues payment?

A. No.

JA296

Q. Presumably you haven't made a dues payment?

A. I have not.

Q. Okay. So after you did those two things, provide your name and address and you said you were asked to share the goals of the organization? How did that happen as part of the application process?

A. It was not part of the application process. I believe that is simply what they want from members.

Q. And what do you base that belief on?

A. From discussing the requirements with lawyers.

Q. Okay. After you did those things, you became a member?

A. Yes.

Q. Okay. And when do you put that in time? I know before the complaint but when?

A. I think in August or so, sometime, not long after that third meeting, I believe.

Q. After the meeting in Washington, D.C. at the legal office?

A. Yes.

Q. Is being a member, to your knowledge, require any financial contributions to the organization?

A. Yes, now. It did not then.

Q. Okay. And I know you previously said you haven't paid any dues, have you made any other



contributions to the organization? What I mean by contributions are financial contributions?

A. No, I have not.

Q. Do you know whether your family has?

A. I do not know for sure.

Q. Have you ever heard of an organization named, The Project on Fair Representation?

A. No.

Q. Or an organization by an acronym for that name, POFR?

A. No.

\* \* \*

[p. 44]

marked previously as Defense Exhibit 8. And I'll let you take a look at it. As you do so, I'll tell you, it's a printout from that same website we were just talking about, UNcnotfair.org and this is a printout of the, about, tab. And why don't you just take a look at what's in that, the text that's in that box there.

A. (Complies.) Okay.

Q. You've had a chance to take a look at it?

A. Yes.

Q. In looking at that, does that bring back any recollection you have about this particular website, UNcnotfair.org or Project Unfair Representation?

A. No.

Q. Do you think you've ever seen this before?

A. I have not seen it.

Q. Okay. You said that you thought you became a member sometime before the complaint was filed but after that meeting at the law office in Washington, D.C.; is that right?

A. Yes.

Q. What have you had to do since becoming a member?

MR. STRAWBRIDGE: Object to the form of the question.

THE WITNESS: I had to make a declaration and appear here today, no other responsibilities.

\* \* \*

[p. 46]

MR. STRAWBRIDGE: Just want to clarify, Counsel, you mean other than communications with counsel?

MR. SCUDDER: Yeah.

BY MR. SCUDDER:

Q. So other than the communications, making the declaration and appearing here today?

A. No, I have not been involved other than that.

JA299

Q. Do you have any duties or responsibilities just in the ordinary course per month or year as a member?

A. No.

Q. Do you have any rights that you know of as a member?

A. The right to leave the organization.

Q. Okay. Any others that you can think of?

A. The right to vote for one of the board positions.

Q. And how do you know that you have that right?

A. Because I was told.

Q. By who?

A. By legal counsel.

Q. Okay. When?

A. Recently, like the last week or so.

Q. Okay. Before that point in time, did you know that you had a right to vote for -- vote for any position in the organization?

A. No.

\* \* \*

[p. 51]

A. No.

Q. Do you ever receive any communications from Students For Fair Admissions?

JA300

A. Not that I know of. I probably, if they have an email list, I probably get emails but I generally ignore most emails unless they are of particular importance, so.

Q. So it -- okay. And that would have been emails, if you received any, you would have ignored them?

A. Yes.

Q. How about any nonelectronic, like old-fashioned letters?

MR. STRAWBRIDGE: Pony Express?

THE WITNESS: No, not that I can remember.

BY MR. SCUDDER:

Q. Okay. We talked about -- can you think of any other ways that the organization may communicate with you as a member?

A. Aside from my personally speaking with Edward Blum, no.

Q. Do you know anybody else who's a member of Students For Fair Admissions?

A. Yes.

Q. You ever spoken to those -- I'm not asking you, if you have, what they said to you or what you said to them, but have you ever spoken to another member of the

\* \* \*

JA301

**Dkt. 107-4**

**BYLAWS**

*of*

**STUDENTS FOR FAIR ADMISSIONS, INC.**

(Formed under the Virginia Nonstock Corporation Act)

(Adopted August 6, 2014)

**ARTICLE I**

*Name and Location*

Section 1.01 Name. The name of the corporation is Students for Fair Admissions, Inc. (the “Corporation”).

Section 1.02 Location. The principal office of the Corporation shall be located at 109 North Henry Street, Alexandria, Virginia 22314, or at any other place approved by the Board of Directors.

Section 1.03 Registered Office and Agent. The Corporation shall continuously maintain a registered office and agent within the Commonwealth of Virginia at such place as may be designated by the Board of Directors. The Corporation’s initial registered office and agent are set forth in the Articles of Incorporation.

**ARTICLE II**

*Purposes*

The Corporation is organized and shall be operated exclusively for charitable, religious, scientific, literary, educational and other purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as now in effect or as hereafter may be amended (the “Code”). The purposes for which the Corporation is

## JA302

formed are to defend human and civil rights secured by law, including the right of individuals to equal protection under the law, through litigation and any other lawful means, and to engage in any lawful act or activity for which corporations may be organized under the Virginia Nonstock Corporation Act (the “Act”). In furtherance thereof, the Corporation shall have all the general powers enumerated in Sections 13.1-826 and 13.1-827 of the Act.

### **ARTICLE III**

#### *Membership*

Section 3.01 Members. The Corporation shall have no members within the meaning of the Act.

Section 3.02 Affiliate Members. The Corporation shall have one class of affiliate members with rights, privileges, and obligations established by the Board of Directors. Affiliate members have no voting rights and are not members within the meaning of the Act. Any individual who seeks to support the purposes and mission of the Corporation shall be eligible to be an affiliate member, subject to any additional standards that may be set from time to time by the Board of Directors. The Board of Directors shall have authority to recognize any individual as an affiliate member.

### **ARTICLE IV**

#### *Board of Directors*

Section 4.01 Power of Board of Directors. The business and affairs of the Corporation shall be managed by the Board of Directors.

## JA303

Section 4.02 Number of Directors. The number of directors of the Corporation is no fewer than three (3), but no more than five (5), and may be increased or decreased from time to time by action of the Board of Directors.

Section 4.03 Election and Term of Directors. The initial Board of Directors shall consist of those directors named in the Action of the Sole Incorporator dated July 30, 2014 and shall serve until their successors are elected and qualified. Thereafter, directors shall be elected at an annual meeting of the Board of Directors by an affirmative vote of a majority of the directors then in office, and each shall continue in office until his or her successor is elected or qualified (unless the Board of Directors, at the annual meeting, determines that there is to be no such immediate successor), or until his or her death, resignation, or removal. The tenure of incumbent members of the Board of Directors shall not be affected by an increase or decrease in the number of directors.

Section 4.04 Vacancies and Newly-Created Directorships. Vacancies and newly-created directorships, resulting from any increase in the authorized number of directors, may be filled by a majority vote of the directors then in office although less than a quorum, or by a sole remaining director. A director elected to fill a vacancy or newly-created directorship shall hold office until the next annual meeting of the Board of Directors and until his or her successor is elected and qualified.

Section 4.05 Removal. Any director may be removed with or without cause at any time by action of the

JA304

Board. A director may be removed only at a meeting called for that purpose (together with other purposes, if any).

Section 4.06 Resignations. Any director may resign at any time upon written notice to the Corporation. Unless otherwise specified in the written notice, the resignation shall be effective upon delivery to the Corporation.

Section 4.07 Quorum of the Board of Directors and Action of the Board of Directors. Unless a greater proportion is required by law or by these Bylaws for adoption of a particular action, a majority of directors shall constitute a quorum for the transaction of business and, except as otherwise provided by law or by the Articles of Incorporation or these Bylaws, the vote of a majority of the directors present at the meeting at which a quorum is present shall be the act of the Board of Directors.



JA305

**Dkt. 107-5**

**BYLAWS**

*of*

**STUDENTS FOR FAIR ADMISSIONS, INC.**

(Formed under the Virginia Nonstock Corporation Act)

(Adopted August 6, 2014; Amended June 19, 2015)

**ARTICLE I**

*Name and Location*

Section 1.01 Name. The name of the corporation is Students for Fair Admissions, Inc. (the “Corporation”).

Section 1.02 Location. The principal office of the Corporation shall be located at 2200 Wilson Blvd., Suite 102-13, Arlington, VA 22201, or at any other place approved by the Board of Directors.

Section 1.03 Registered Office and Agent. The Corporation shall continuously maintain a registered office and agent within the Commonwealth of Virginia at such place as may be designated by the Board of Directors. The Corporation’s initial registered office and agent are set forth in the Articles of Incorporation.

**ARTICLE II**

*Purposes*

The Corporation is organized and shall be operated exclusively for charitable, religious, scientific, literary, educational and other purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as now in effect or as hereafter may be amended (the “Code”). The purposes for which the Corporation is

## JA306

formed are to defend human and civil rights secured by law, including the right of individuals to equal protection under the law, through litigation and any other lawful means; and to engage in any lawful act or activity for which corporations may be organized under the Virginia Nonstock Corporation Act (the “Act”). In furtherance thereof, the Corporation shall have all the general powers enumerated in Sections 13.1-826 and 13.1-827 of the Act.

### **ARTICLE III** *Membership*

Section 3.01 Members. The Corporation shall have one class of members, referred to as General Members, which shall not be “members” within the meaning of the Act and shall have only the rights specifically set forth in these Bylaws.

Section 3.02 General Members. Any individual who seeks to support the purposes and mission of the Corporation, pays membership dues as may be prescribed by the Board of Directors, and meets any additional standards and procedures that may be prescribed from time to time by the Board of Directors shall be eligible to become a General Member. General Members shall have the right to vote for one (1) Member-Elected Director pursuant to Section 4.04.

Section 3.03 Revocation; Resignation. The Board of Directors may revoke the membership of any General Member on the grounds that the General Member has engaged or is engaging in activities which are, in the sole discretion of the Board of Directors, contrary to the purposes of the Corporation. A General Member may

JA307

resign at any time upon written notice to the Corporation.

**ARTICLE IV**  
*Board of Directors*

Section 4.01 Power of Board of Directors. The business and affairs of the Corporation shall be managed by the Board of Directors.

Section 4.02 Number of Directors. The number of directors of the Corporation shall be five (5) and shall consist of four (4) Board-Elected Directors and one (1) Member-Elected Director.

Section 4.03 Qualifications. All directors must be General Members of the Corporation.

Section 4.04 Election and Term of Directors.

(a) Board-Elected Directors. There shall be four (4) Board-Elected Directors. Board-Elected Directors shall be elected at the applicable annual meeting of the Board of Directors by an affirmative vote of a majority of the directors then in office, to serve for terms of two (2) years from the date of their election, and each shall continue in office until his or her successor is elected or qualified, or until his or her prior death, resignation, or removal.

(b) Member-Elected Director. There shall be one (1) Member-Elected Director. The Member-Elected Director shall be elected in conjunction with the applicable annual meeting of the Board of Directors by an affirmative vote of a majority of the General Members, to serve for a term of two (2) years from the

date of such director's election, and such director shall continue in office until his or her successor is elected or qualified, or until his or her prior death, resignation, or removal. The time, method, manner, and eligibility of voting for the Member-Elected Director shall be determined by the Board of Directors. Neither cumulative nor proxy voting shall be allowed in such elections. The candidate receiving the highest number of votes shall be elected.

Section 4.05 Vacancies. A vacancy of a Board-Elected Directorship may be filled by a majority vote of the directors then in office although less than a quorum, or by a sole remaining director. A vacancy of a Member-Elected Directorship shall be filled by an affirmative majority vote of the General Members. Such election shall be held within sixty (60) days of the Member-Elected Directorship becoming vacant; provided that an election to fill a vacancy resulting from

\* \* \*

JA309

**Dkt. 107-7**

[See Vol. III at JA 1043]

JA310

**Dkt. 107-8**

[See Vol. III at JA 1045]

JA311

**Dkt. 107-9**

**ARTICLES OF INCORPORATION**  
*of*  
**STUDENTS FOR FAIR ADMISSIONS, INC.**

The undersigned, pursuant to the Virginia Nonstock Corporation Act (the “Act”), hereby states as follows:

1. The name of the corporation is Students for Fair Admissions, Inc. (the “Corporation”).

2. The Corporation shall have no members.

3. The initial directors of the Board of Directors of the Corporation shall be appointed by the sole incorporator. All other directors shall be elected by an affirmative vote of a majority of the directors then in office, and each shall continue in office for the term specified in the Bylaws of the Corporation and until such director’s successor is elected and qualified, or until such director’s earlier death, resignation, or removal.

4. The name of the initial registered agent of the Corporation is National Corporate Research, Ltd. The registered agent is a domestic or foreign stock or nonstock corporation, limited liability company, or registered limited liability partnership authorized to transact business in Virginia.

5. The Corporation’s initial registered office address, which is identical to the business office of the initial registered agent, is: 250 Browns Hill Court, Midlothian, Virginia, 23114. The registered office is located in the county of Chesterfield.

6. The Corporation is organized and shall be operated exclusively for charitable, religious, scientific, literary, educational and other purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as now in effect or as hereafter may be amended (the "Code"). The purposes for which the Corporation is formed are to defend human and civil rights secured by law, including the right of individuals to equal protection under the law, through litigation and any other lawful means, and to engage in any lawful act or activity for which corporations may be organized under the Act. In furtherance thereof, the Corporation shall have all the general powers enumerated in Sections 13.1-826 and 13.1-827 of the Act. Except as otherwise provided by law, or in any Bylaw of the Corporation, the business of the Corporation shall be managed and all of the powers of the Corporation shall be exercised by the Board of Directors of the Corporation.

7. The duration of the existence of the Corporation is perpetual.

8. Provisions for the regulation of the internal affairs of the Corporation, including provisions for distribution of assets on dissolution or final liquidation, are as follows:

A. The Corporation shall not only be organized but also operated exclusively for charitable purposes within the meaning of section 501(c)(3) of the Code; provided, however, that the corporation may engage in any lawful act or activity for which

\* \* \*



JA313

Dkt. 154-1

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA

CASE NO. 1:14-CV-954

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 THE UNIVERSITY OF NORTH CAROLINA )  
 et al., )  
 )  
 Defendants. )  

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**DECLARATION OF ROBERT BLOUIN**

I, Robert Blouin, hereby make this declaration from my personal knowledge and, if called to testify to these facts, could and would do so competently:

**I. Background and Role at the University**

1. I am the Executive Vice Chancellor and Provost at The University of North Carolina at Chapel Hill (the “University”). I serve as the University’s Chief Academic Officer and its Chief Operating Officer with oversight responsibilities for budget and planning. I am also the UNC Eshelman School of Pharmacy’s Bryson Distinguished Professor.

2. I received my undergraduate degree from the Massachusetts College of Pharmacy in 1975, and a PharmD from the University of Kentucky College of Pharmacy in 1978.

3. From 1978 to 2003, I served as a faculty member and an administrator at the University of Kentucky College of Pharmacy. Specifically, I served as Associate Dean for Research and Graduate Education and Executive Director of the Office for Economic Development and Innovations Management.

4. I joined the University's Eshelman School of Pharmacy in 2003 as its Dean.

5. In September 2017, I became the University's 15th Executive Vice Chancellor and Provost, succeeding James W. Dean, Jr. In this role, I report directly to Chancellor Carol L. Folt.

6. As Executive Vice Chancellor and Provost, I have oversight responsibilities for admissions and financial aid, budget and planning, student and health affairs, and the University's

\* \* \*

[pp. 5-14]

wide educational policies. It establishes policies on a variety of campus-wide issues including curricula and programs of study. The Faculty Council also develops admissions policies and procedures and ensures that they are consistent with the UNC System's and Board of Trustees' policies. I attend Faculty Council meetings

and serve in a consultative role, including reviewing resolutions under consideration by the Faculty Council.

14. In December 2017, I convened the Educational Benefits of Diversity and Inclusion Working Group. The group coordinates and enhances the assessment of the University's ongoing efforts to realize the educational benefits of diversity and inclusion for its undergraduate students.

## **II. The University's Commitment to Diversity is Grounded In Our Mission**

### **A. At the core of the University's mission and academic principles is a commitment to diversity and to the educational benefits of diversity.**

15. The University exists "to teach a diverse community of undergraduate, graduate, and professional students to become the next generation of leaders." (Ex. 32 (The Mission Statement of the University of North Carolina, Chapel Hill), UNC0323722.)

16. As the nation's first public university and North Carolina's flagship public institution, the University recognizes that it has a special responsibility to "foster the success and prosperity of each rising generation" and "to improve society and to help solve the world's greatest problems." (*See id.*)

17. The University's commitment to diversity stems from its mission to bring its expertise to bear for the benefit of the state of North Carolina and beyond and to eliminate barriers to accessing higher education.

18. Moreover, since its inception, the University has been instrumental in helping the state, region, and world solve important problems. We know that solving the critical societal questions facing the next generation will require the talents of diverse students and graduates, working together.

19. The University's strategic framework, Blueprint for Next, reflects the University's commitment to the citizens of North Carolina and to the provision of excellence in public higher education. The University's Board of Trustees endorsed the Blueprint for Next in January 2017. The Blueprint for Next identifies the priorities that will guide the University's decision-making for the next ten years.

20. As the University's mission statement and strategic framework illustrate, diversity is a deeply held value. Our commitment to diversity also reflects the University's proven understanding and experience that diversity yields enlightening, lasting, and transformational educational benefits.

**B. The University's belief that substantial educational benefits result from learning in a diverse environment aligns with its experience and stated commitments over time.**

21. The University defines diversity broadly. Dimensions of diversity include race, ethnicity, religion, sexual identity, physical ability, veteran status, first generation college/high school status, socioeconomic status, political orientation, age,

citizenship, and many other elements of individual differences.

22. As Provost, and previously as an academic dean and member of the faculty, I have observed the ways in which our students and the entire University community benefit from learning, living, and interacting in a diverse and inclusive environment. There is no doubt that diversity produces meaningful and real educational benefits for members of the University community.

23. The University's faculty have long recognized the educational benefits of diversity that students acquire in the classroom, and our faculty believe these benefits are critically important to the education of our students.

24. On April 15, 2016, the Faculty Council enacted Resolution 2016-12 "On Commitment to Diversity and Inclusion." (Ex. 33 (Faculty Council Resolution 2016-12 - On Commitment to Diversity and Inclusion), UNC028326.)

25. The Faculty Resolution reaffirms the faculty's commitment to the values of diversity and inclusion, stating in part:

We recognize that student body diversity is a vital and necessary component of academic excellence, and we believe that we can achieve our educational, research, and service missions only by creating and sustaining a diverse and inclusive environment.

We are committed to promoting the many educational benefits, generation of new ideas and the innovations that flow from a diverse student body.

*(Id.)*

26. The Faculty Resolution recognizes that some of the educational benefits of diversity include:

(a) Fostering vibrant classroom and campus environments across all academic disciplines;

(b) Aiding in intellectual growth and the free exchange of ideas;

(c) Enabling the pursuit of solutions from many different perspectives and grounded in many different life experiences; and

(d) The minimization of bias, which better prepares students for participation in a multicultural society and a global economy.

*(Id.)*

**C. The University reinforced its commitment to the educational benefits of diversity in the 2017 Provost's Report.**

27. Following the Supreme Court's decision in *Fisher II*, the University formalized its efforts to assess the University's progress toward realizing the educational benefits of diversity.

28. Our goals were to: (1) make sure the University's diversity objectives are defined as clearly as possible; (2) establish the best measures by which to

assess the achievement of those objectives and to identify opportunities for continuous improvement; (3) identify what data and information—qualitative and quantitative—will be necessary and helpful in the measurement of success and, as necessary, establish processes for capturing that data; (4) evaluate ways to improve strategic coordination among the entities that contribute to the achievement of the University’s diversity program; and (5) continue to evaluate the contribution of admissions to the achievement of the University’s diversity objectives.

29. On May 26, 2017, the Provost’s office, under the leadership of my predecessor, James W. Dean Jr., completed a report entitled “The Educational Benefits of Diversity and Inclusion for Undergraduate Students at the University of North Carolina at Chapel Hill” (“Provost’s Report”) and submitted it to Chancellor Folt. (Ex. 34 (Provost’s Report), UNC0349694-712.)

30. I have fully embraced the Provost’s Report. Indeed, I believe the Provost’s Report reaffirms the University’s longstanding position on diversity and its educational benefits and reflects a compilation and synthesis of many prior statements and publications by the University regarding the educational benefits of diversity and inclusion.

31. The Provost’s Report reaffirmed the University’s commitment to diversity and the importance of a diverse student body to the achievement of the University’s mission. Further, the report identified the specific educational benefits, essential to the University’s mission, deriving from diversity, including:

JA320

- (a) Promoting the robust exchange of ideas;
- (b) Broadening and refining understanding;
- (c) Fostering innovation and problem solving;
- (d) Preparing engaged and productive citizens and leaders; and
- (e) Enhancing appreciation, respect, and empathy.

(*Id.* at UNC0349698-700.)

32. The Provost's Report recognized that in order to achieve the educational benefits of diversity, it is necessary for the University to attract and enroll a diverse student body. (*Id.* at UNC0349700.) To that end, the University devotes a great deal of resources to pipeline programs, recruitment initiatives, financial aid programs, and student success efforts to build a body of talented students from all backgrounds. Many of these programs are discussed in the Provost's Report. (*Id.* at UNC0349700-05.)

**D. The University's admissions approach helps to achieve the educational benefits of diversity.**

33. The University's admissions approach is an integral part of our ability to provide the educational benefits of diversity.

34. I meet regularly with Stephen Farmer and discuss an array of issues related to the University's undergraduate admissions philosophy and approach. Mr. Farmer provides periodic updates regarding



admissions outcomes to me and to other University leaders, including the Chancellor and the Board of Trustees.

35. I pay close attention to our admissions strategies and outcomes so that I am able to understand whether and how the University is fulfilling its goal of admitting a strong class of students and meeting our legislative and UNC System mandates.

**E. The University commits a great deal of resources to eliminate financial barriers to enrollment.**

36. One critical aspect of our approach to admissions includes removing financial barriers to enrollment at the University. We are proud to have a need-blind admissions policy, which means we make admissions decisions about applicants without regard to their financial means and their ability to afford a Carolina education. We also meet the full financial need of every admitted student who applies and qualifies for financial aid. This practice affords us the ability to enroll students from diverse socioeconomic backgrounds.

37. The University's commitment to financial aid represents an incredible investment. In order to meet our financial aid commitments, the University often—on a yearly basis—has to make tough decisions regarding how to allocate its limited financial resources. In many cases, the use of those resources is restricted by the federal government, the State of North Carolina, or donors who contributed funds.

Directing funds to student aid—in order to maintain our commitment to excellence, opportunity, and diversity—necessarily means that we cannot direct those funds to other important goals that would advance the University’s mission.

38. Although the University receives gifts and donations on an annual basis and maintains a large endowment, there are restrictions on our ability to make these funds readily available for financial aid programs.

39. The use of donor funds is almost always restricted by donors to a specific request or project, and we cannot deviate from gift restrictions without written consent from the donor.

40. Presently, the vast majority of the University’s endowment carries external restrictions that limit the use of those funds to specific purposes. The very limited portion of unrestricted endowment funds is allocated for recurring needs such as University libraries, scholarships, fellowships, and other mission-critical purposes.

**III. The University demonstrates its commitment to the educational benefits of diversity through campus programming**

41. We know that achieving the educational benefits of diversity requires that we provide opportunities for students from different backgrounds to interact with one another, both in and out of the classroom. As Provost, I oversee numerous programs, committees, and initiatives dedicated to creating and supporting these opportunities at the University.

## JA323

42. The University strives to foster a learning environment that leverages the diversity of its student body through encouraging class discussions that feature diverse perspectives, creating opportunities for collaboration and teamwork, and through course offerings that focus on topics of diversity and inclusion.

43. We also support faculty-led diversity initiatives that cultivate the educational benefits of diversity in the classroom, such as through the Center for Faculty Excellence program regarding inclusive teaching.

44. Through our Division of Student Affairs, we offer our students programs that provide opportunities for interaction outside the classroom with others who may come from different backgrounds.

45. We pursue the educational benefits of diversity through the University Office for Diversity and Inclusion, which operates a range of cultural programs, campus activities, and support services.

46. As Provost, one of my goals is to ensure that the academic colleges and other units reporting to me receive the institutional support needed to foster a diverse and inclusive environment. I do this by regularly engaging with the individuals I supervise; providing institutional and financial support where needed for efforts (such as those described above) related to these issues; and regularly receiving feedback about the classroom and campus experience of our students.

**IV. The University is engaged in ongoing assessment of the educational benefits of diversity**

47. Over the years, the University has engaged in assessment of its efforts to realize the educational benefits of diversity. These assessments have included both the collection and analysis of quantitative data tracking the diversity of our campus, as well as learning about our students' experiences of diversity and inclusion through surveys and in-person encounters. These assessments occur centrally, as well as within academic departments and programs at the University.

48. For example, the Carolina Metrics project incorporates student and faculty questionnaires and other campus data in order to assess the University's success in achieving its academic priorities and goals. Carolina Metrics is an ongoing effort and has been shared with the University Board of Trustees. (Ex. 62 (Carolina Metrics Presentation), UNC0132974-90.)

49. Building upon these efforts and the 2017 Provost's Report, I convened the Educational Benefits of Diversity and Inclusion Working Group ("EBD Working Group"). The EBD Working Group is formally charged with coordinating and enhancing the assessment of the University's ongoing efforts to realize the educational benefits of diversity and inclusion for its undergraduate students.

50. I chair the EBD Working Group. Other members of the EBD Working Group are campus leaders with skills and expertise across a variety of

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fields including educational research and assessment;  
admissions; and student support.

\* \* \*

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Dkt. 154-3

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CASE NO. 1:14-CV-954**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 UNIVERSITY OF NORTH CAROLINA )  
 et al., )  
 )  
 Defendants. )

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**DECLARATION OF MICHAEL DAVIS**

[pp. 2-13]

I, Michael Davis, hereby make this declaration from my personal knowledge and, if called to testify to these facts, could and would do so competently:

**I. Background and Employment with The University of North Carolina at Chapel Hill**

1. I am the Associate Director for Recruitment at the University of North Carolina at Chapel Hill (the “University” or “UNC-Chapel Hill”). I assumed this role in 2015.

2. As Associate Director for Recruitment, I lead the University's recruitment strategies, programs, and communications. These efforts include identifying qualified prospective applicants, encouraging those prospective applicants to apply for admission, and inspiring admitted applicants to enroll at the University.

3. I report directly to Stephen Farmer, Vice Provost for Enrollment and Undergraduate Admissions. On a day-to-day basis, I supervise ten full-time staff members.

4. Prior to joining UNC-Chapel Hill's Office of Undergraduate Admissions, I worked at Drexel University in the Office of Enrollment Management for approximately eight years. I started as an event planner and was promoted to Assistant Director of Events. I continued to be promoted and later served as the Associate Director of Visit Experience and then as the Director of Communications and Marketing. As Director of Communications and Marketing, I was responsible for developing and executing Drexel's marketing strategy and recruitment communications with prospective students.

5. I graduated from the University of Georgia in 2007 with a Bachelor of Arts in History. I received a Master of Science in Communications from Drexel in 2011.

**I. Recruitment Goals Identified by the University's Office of Undergraduate Admissions**

6. UNC-Chapel Hill's Office of Undergraduate Admissions seeks to admit highly qualified and talented students with a wide variety of backgrounds and experiences who are capable of succeeding at the University, who will form a welcoming and collaborative community, and who will help each other grow and develop. This goal supports the University's mission to serve as a center for research, scholarship, and creativity and provide its students with the educational benefits of diversity.

7. One of the ways the Office of Undergraduate Admissions pursues its goal is through recruitment — including both recruiting prospective applicants to apply and encouraging admitted students to enroll at the University (known as “yield”).

8. The Office of Undergraduate Admissions has two key recruiting and yield objectives: (1) increasing applications from key segments of prospective applicants; and (2) increasing yield percentage from all populations.

9. In addition, the University also seeks to support its public service mission by promoting a culture of college access to populations across the state, whether students ultimately enroll at the University or at another North Carolina institution.

10. The Office of Undergraduate Admissions pursues each of these goals through a variety of methods, which are discussed in detail below.



**II. The University Engages in a Variety of Outreach Programs Designed to Increase Applications from Key Population Segments**

11. With respect to increasing applications from key population segments, the University focuses its recruitment efforts on certain priority populations. For example, for the class of 2021, the priority populations included:

- Top North Carolina students (North Carolina residents who either have a top test score — 1470 or higher on the SAT or 32 or higher on the ACT — or are in the top 3% of their graduating high school class);
- First generation college students;
- Students with low socioeconomic backgrounds;
- Underrepresented minority students (Native American, African American, or Hispanic/Latino);
- International students;
- Students from six out-of-state markets — Miami, Atlanta, Washington D.C., New York City, Dallas, and Silicon Valley; and
- Students from key international markets, including London and the UK, Canada, the Middle East, and South and Central America.

12. In addition to these target populations, the UNC System as a whole is working to increase

applications and graduation rates for students from counties identified as Tier I or Tier II by the North Carolina Department of Commerce (“NCDOC”). The tier system analyzes the comparative economic well-being of each county in North Carolina. The NCDOC calculates tiers according to factors such as average unemployment rate, median household income, percentage growth in population, and adjusted property tax base per capita. The 40 most distressed counties are designated as Tier I, while the next 40 distressed counties are designated as Tier II. Additionally, the UNC System’s five-year plan seeks to increase enrollment and graduation rates of low-income students. Specifically, by 2021 UNC-Chapel Hill seeks to increase enrollment of low-income students by 4.2% over 2015 levels, and to increase graduation of low-income students by 14.4%

13. The University begins its recruitment process by identifying talented prospective applicants from these key population segments. In recent years, the University has collected between 80,000 and 100,000 prospect names per admissions cycle. The Office of Undergraduate Admissions uses a variety of methods to identify and solicit applications from qualified prospects.

**A. The University Uses a Variety of Methods to Identify Qualified Prospects and Provide Targeted Information About UNC-Chapel Hill.**

14. The University collects contact information for students who register for a campus visit, attend recruiting events, or contact the Office of

Undergraduate Admissions. But the University's efforts to connect with talented qualified applicants go well beyond connecting with students who have already demonstrated an interest in the University.

15. The Office of Undergraduate Admissions also purchases names and contact information for high school students from testing companies such as the College Board. Specifically, the Office of Undergraduate Admissions purchases the names of high school freshmen, sophomores, and juniors who have scored well on the PSAT, PLAN, SAT, ACT and AP exams. The University uses this data to disseminate information about the University or, in keeping with the University's public service mission, provide information about college access more generally. This information can also supplement what we know about students who have expressed interest in the University.

16. For students who have identified themselves to the College Board as first-generation college applicants or as falling within certain socioeconomic parameters, the Office of Undergraduate Admissions sends additional relevant information about the University. For instance, the University might send information about its Carolina Firsts program to first generation applicants. Carolina Firsts provides targeted resources, events, and mentoring opportunities to help first-generation college students succeed and graduate. Other students might receive information about the University's expansive financial aid offerings—including the well-respected Carolina

Covenant program, which allows the University's lowest income students to graduate debt-free.

17. In addition to purchasing student contact information from the College Board, the Admissions officers make a concerted effort to engage students in their homes, schools, and communities. The University participates in the Carolina Association of Collegiate Registrars & Admissions Officers ("CACRAO"), a professional organization of admissions, registrars, and counselors from different universities that organizes college fairs across North Carolina. By participating annually in high school college fairs organized by CACRAO, the Office of Undergraduate Admissions has the opportunity to welcome and counsel students from every county and every high school in North Carolina.

18. Office of Undergraduate Admissions officers typically visit about 150 North Carolina high schools each year to meet with potential applicants, attend college fairs, host parent nights, and coordinate student dinners. University representatives at every level — including Stephen Farmer, Vice Provost for Enrollment and Undergraduate Admissions — travel across the state and to other key national regions to promote the world-class educational opportunities available at UNC-Chapel Hill. University representatives also educate prospects about the University's affordability.

19. The Office of Undergraduate Admissions also maintains a robust online and social media presence. The Office uses email, YouTube, Facebook, Twitter, and Instagram to disseminate information about applying to and paying for college. The University's

social media platforms highlight its commitment to access and affordability. Key themes in the University's communications are: (1) academic excellence, (2) community, and (3) affordability. The Office of Undergraduate Admissions endeavors to show the multi-faceted components of campus life and make sure that diversity is reflected in its messaging.

20. On top of these efforts, the Office of Undergraduate Admissions also runs a phone campaign in which current students make calls to prospective students. University students involved in making the calls include student-employees from the Office of Undergraduate Admissions, volunteers from the Student Ambassador program, student workers from the Office of Diversity & Inclusion, and students from the Men of Color Engagement.

**B. The University Invites Prospects to Visit Campus to Learn More About the Opportunities Available at UNC-Chapel Hill — Including Applying to and Paying for College.**

21. In addition to traveling around the state and to key national regions and engaging with prospects on social media and through direct calls, the University also encourages qualified prospects to visit campus. The Office of Undergraduate Admissions, in conjunction with the Office for Diversity & Inclusion, hosts on-campus events throughout the year to promote the opportunities available for students of all backgrounds.

22. Project Uplift, for example, is a summer program designed to engage underserved students throughout the state and encourage them to apply to UNC-Chapel Hill. High achieving African American, Native American, Latinx, Asian American, low income, rural and other rising seniors from historically underserved populations are invited to spend two days on campus to experience the University's academic rigor and social climate. During May and June, approximately 1,000 rising seniors participate in this early recruitment program.

23. Project Uplift participants who want to spend more time on campus can apply for Uplift PLUS (UP) — a five-week program during which participants live on campus, attend SAT/ACT coaching sessions, and take a three-credit freshman English course.

24. Rising high school juniors from rural communities can participate in North Carolina Renaissance, a four-day enrichment program that promotes leadership, team building, and community service. Participants also learn about the college admissions process and financial aid opportunities at the University.

25. Students who identify as Native American can participate in Carolina Horizons — a four-day residential program hosted by the University's American Indian Center that celebrates Native American culture on campus. During their stay, students meet and network with admissions advisors, current Native American college students, and college representatives from across the UNC system. Participants learn about the common application, essay

prompts and essay writing tips. They also begin drafting their common application essays during the program. Students learn communication etiquette, SAT/ACT preparation, and financial aid and scholarship information. Over that past three years approximately 150 Native American students have participated in Carolina Horizons.

26. In prior years, the University hosted multiple single-day events as well. For example, High School Honors Day invited high school seniors who identify as African American, Native American, Latinx, Asian American, low income or rural to spend a day on campus learning about academic programs, admissions requirements, scholarship opportunities, and financial aid. The University also hosted Nuestra Carolina and Expanding the Circle, one-day programs for Latinx and Native American prospective students, respectively. At these programs, participants engaged with the Office of Undergraduate Admissions, the Office of Scholarships and Student Aid, and various other campus resources.

27. The Office of Undergraduate Admissions hosts information sessions and leads campus tours. Current students, known as Admissions Ambassadors, conduct the tours and share stories about their personal experiences at the University. Admissions staff and current students also are available at the Office of Undergraduate Admissions to mingle with visitors and to answer their questions about the University in general, and about topics like the application process and financial aid.

**C. The C-STEP Program Encourages Qualified Community College Students to Seek Admission to the University.**

28. In 2006, the University launched the Carolina Student Transfer Excellence Program (“C-STEP”) to enable more community college students to transfer to and graduate from Carolina. C-STEP focuses on high school seniors or community college students whose household incomes fall at or below 300 percent of the federal poverty guidelines as indexed by family size. Talented low and moderate income high school and community college students are guaranteed eventual admission to the University if they successfully complete the community college portion of the program.

29. In addition to guaranteed admission, C-STEP offers students special events, advising, and transition and support services both at their home college and at UNC-Chapel Hill. These enhanced efforts help ensure C-STEP students’ success after they transfer to UNC-Chapel Hill.

30. In January 2019, the University announced the expansion of C-STEP to two new community colleges, bringing the number of North Carolina community colleges the University partners with to 13. The University plans to continue to expand enrollment in its C-STEP partnerships over the next 5 years.



**III. UNC-Chapel Hill's Carolina College Advising Corps Engages with Thousands of High School Students Across North Carolina to Champion the Benefits of a College Education, Including at UNC-Chapel Hill**

31. The Carolina College Advising Corps ("CCAC"), an integral part of the Office of Undergraduate Admissions at UNC-Chapel Hill, is an innovative program that works to increase the number of low-income, first-generation college, and underrepresented minority students who enter and complete higher education. Through a nationwide consortium of colleges and universities, recent graduates of partner colleges and universities are hired, trained, and placed as full-time college advisors in underserved high schools.

32. UNC-Chapel Hill's chapter of the College Advising Corps aims to help low-income, first-generation, and underrepresented minority students from North Carolina attend college by placing recent UNC-Chapel Hill graduates as college advisors in selected public high schools throughout the State. Advisors assist with the admissions and financial aid processes.

33. The CCAC program began in 2007 and in 2017-2018, 57 CCAC advisors served 77 high schools across the state of North Carolina. Advisors serve one or two high schools where they work full time, and are dedicated to supporting students as they navigate the college admissions and financial aid processes. (Ex. 61 (2015 CCAC Information Sheet), UNC0226162.)

34. Advisors promote college attendance through one-on-one counseling sessions with students, group presentations, parent information nights, and direct communication with parents. Their goal is for every senior in our partner high schools to at a minimum, have a one-on-one conversation with a college counselor regardless of whether they are considering college.

35. CCAC advisors help students identify and apply to post-secondary programs (including but not limited to four-year and community colleges) that will best serve them, both academically and socially. Advisors seek to promote college attendance generally. Depending on students' credentials, they may encourage students to consider community college or other colleges that may not be as selective as UNC-Chapel Hill.

36. CCAC advisors encourage students to apply to multiple schools and diversify the schools to which they are willing to apply. Advisors encourage students to consider schools they otherwise might not have considered, taking into account the student's chances of admission and the fit of the school to the student's personal circumstances.

37. Although CCAC advisors promote college generally, because the advisors are recent alumni of UNC-Chapel Hill and can share about their experiences at and love for UNC-Chapel Hill, the program has the secondary effect of promoting UNC-Chapel Hill and encouraging talented students at partner high schools to apply and, if accepted, enroll at UNC-Chapel Hill. CCAC advisors help talented

students at partner high schools see that UNC-Chapel Hill is not beyond their reach.

38. With respect to UNC-Chapel Hill in particular, the number of admitted and enrolled students from CCAC partner schools is on the rise. For admission in the Fall of 2017, for instance, 813 first-year students applied to UNC-Chapel Hill from 71 high schools served by the CCAC. Of those, 376 were admitted and 252 enrolled. For admission in the Fall of 2018, UNC-Chapel Hill received 930 applications from students applying from one of 75 schools served by the CCAC. Of those, 389 were admitted and 262 enrolled.

39. The CCAC program is not state funded, and no state funding has been allocated to it. The program receives 30-40% of its funding from the College Advising Corps' national organization. Otherwise, it relies on its own fundraising efforts. Under this model, the CCAC has made significant efforts to expand the program (which has grown), but future expansion efforts will be limited based on private donations and grants, and UNC-Chapel Hill's ability to maintain the high-level of quality of the program.

#### **IV. The Office of Undergraduate Admissions Continues its Recruiting Efforts After Applicants Have Been Offered Admission.**

40. After admissions decisions are released, the Office of Undergraduate Admissions works to encourage admitted students to enroll at the University. The University seeks to increase its acceptance rate, or "yield," across all populations.

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41. The University's merit scholarship program is an important tool we use to encourage talented admitted students to enroll at the University. We also offer some admitted students special opportunities through our Excel @ Carolina program in an effort to encourage their matriculation.

42. Many of our recruiting efforts are directed at encouraging low-socioeconomic students to attend the University. For example, we offer financial assistance and regularly and most often are covering the full cost to students who want to visit campus before accepting an offer of admission. The University offers travel grants to applicants who qualified for an admissions fee waiver or whose financial aid application demonstrates financial need. The University covers those students' travel and lodging costs to attend one of several admitted students events.

43. The travel grant program helps low-socioeconomic status students attend one of several events hosted by the University to encourage matriculation. For example, Decision Day and Admitted Students Day are on-campus events that introduce admitted students to the University community. Participants meet with faculty and current students; tour campus; receive presentations on financial aid, housing, and study abroad opportunities; and learn about the hundreds of student organizations on campus.

44. Before Admitted Students Day, the University hosts a special breakfast for admitted students who are first generation college applicants, plus their family members. This year, 566 admitted

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students and their relatives attended. During this breakfast, the students and their families are welcomed by the Office of Undergraduate Admissions and the University's Carolina Firsts Office (a campus office dedicated to the support of first-generation college students) and have the opportunity to hear from current first-generation college students and staff.

45. All admitted students, including admitted students who identify as Latinx or Native American, can participate in Dia de Bienvenida or Native Heels Day. This program includes panel discussions with current students, faculty, and staff who identify with these populations. The program also features a campus tour and lunch in the dining hall and is intended to celebrate the Latinx and Native American cultures and their contributions to campus, as well as to feature information about targeted support networks.

46. In addition to inviting admitted students to campus and helping to pay for the visit, the University also deploys various social media and phone campaigns to encourage matriculation. For these efforts, the Office of Undergraduate Admissions employs work-study students and partners with student organizations around campus — such as the Carolina Indian Circle and the Campus Y — to contact students who have expressed interest in a particular organization.

47. The Office of Undergraduate Admissions also sends print mailings to admitted students from specific academic departments, such as the Honors program.

48. We also host small group dinners with admitted students and their families across the state

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targeted at certain populations. In the past, the Office of Undergraduate Admissions has

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[p. 16]

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing statements are true and correct.

Executed on January 11, 2019.

/s/ Michael Davis

Michael Davis

Associate Director for Recruitment

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Dkt. 225

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CASE NO. 1:14-CV-954**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
)  
Plaintiff, )  
)  
v. )  
)  
THE UNIVERSITY OF NORTH )  
CAROLINA AT CHAPEL HILL, et al., )  
)  
Defendants. )

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**JOINT STATEMENT OF UNDISPUTED FACTS  
JOINT STATEMENT OF UNDISPUTED FACTS  
SUBMITTED BY STUDENTS FOR  
FAIR ADMISSION, INC.  
AND THE UNC DEFENDANTS**

Plaintiff Students for Fair Admissions, Inc. and the UNC Defendants hereby submit the following joint statement of undisputed facts:

**I. The Parties**

1. Plaintiff Students for Fair Admissions, Inc. (“SFFA”) is an Internal Revenue Code Section 501(c)(3) organization. Its stated mission is “to defend human

and civil rights secured by law, including the right of individuals to equal protection under the law, through litigation and any other lawful means.” SFFA-UNC 0000059 (PX106). SFFA is a voluntary membership association comprised of more than 20,000 members, including, among others, applicants who have applied for and were denied admission to the University. SFFA-UNC 0000052 (PX106); Doc. 114-5, 144-6.

2. The University of North Carolina at Chapel Hill was founded in 1789 as the nation’s first public university.

3. The University exists to serve as a center for research, scholarship, and creativity and to teach a diverse community of undergraduate, graduate, and professional students to become the next generation of leaders, as set forth in the Mission Statement of the University of North Carolina, Chapel Hill (UNC0323722 (DX001)).

4. The University is a constituent institution of the University of North Carolina System (the “UNC System”).

5. Defendant University of North Carolina Board of Governors is the governing body of the UNC System.

6. The Board of Governors has responsibility for the planning, development, and overall governance of the UNC System pursuant to Chapter 116 of the North Carolina General Statutes.

7. Defendant Peter Hans is President of the UNC System and its chief administrative and executive



officer. He has complete authority to manage the affairs and execute the policies of the UNC System, subject to the direction of the Board of Governors.

8. The University's Board of Trustees serves as an advisor to the Board of Governors on matters pertaining to the University.

9. The University's Board of Trustees is composed of thirteen persons: eight are elected by the UNC Board of Governors, four are appointed by the North Carolina General Assembly, and the remaining member is the president of the student government, ex officio.

10. The Board of Trustees and the members thereof were named as defendants at the outset of this litigation. They were dismissed from the action in 2015 on the condition that UNC will abide by the terms of any relief ordered against it.

11. The University's Chancellor is responsible for carrying out the policies of the Board of Governors and the University's Board of Trustees and is vested with complete executive authority over the University, subject to the direction of the President of the UNC System. The Chancellor of the University is Defendant Kevin Guskiewicz, who replaced Carol Folt in 2019.

12. The University's Board of Trustees also serves as advisor to the Chancellor concerning the management and development of the University.

13. The University Board of Trustees sets the University's admissions policy, documented as The University of North Carolina at Chapel Hill:

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Admissions Policy (UNC0376839 (DX008)) (the “Admissions Policy”).

14. The Admissions Policy states that undergraduate admissions is the responsibility of the Office of Undergraduate Admissions (the “Admissions Office”). The Admissions Office makes the University’s admissions decisions.

15. The Admissions office has a staff of approximately 120 full-time and part-time employees.

16. The University’s Vice Provost for Enrollment and Undergraduate Admissions is responsible for all aspects of the University’s Admissions Office. The Vice Provost for Enrollment and Undergraduate Admissions is Defendant Stephen Farmer.

17. The University’s Vice Provost for Enrollment and Undergraduate Admissions reports to the Executive Vice Chancellor and Provost of the University. The Executive Vice Chancellor and Provost of the University is Defendant Robert Blouin, who replaced James Dean in 2017.

18. The Admissions Policy states that the Advisory Committee on Undergraduate Admissions (the “Advisory Committee”) approves policies and procedures applied by the Admissions Office.

19. UNC0372902 (DX011) is the Charge of the Advisory Committee and sets forth the Advisory Committee’s membership.

20. UNC0104859 (DX009) is the Advisory Committee Statement on the Evaluation of Candidates

for Admission applicable from September 5, 2007 to present.

## **II. The University's Admissions Process**

### **A. The Application**

21. Applicants for admission to the University's first-year class must apply by one of two deadlines.

22. October 15th is the application deadline for non-binding Early Action.

23. January 15th is the application deadline for non-binding Regular Decision.

24. During the relevant time period, applicants for admission were required to submit the Common Application.

25. The Common Application is an undergraduate college admission application that applicants may use to apply to any of more than 800 member colleges.

26. All applicants for admission must submit the Common Application essay.

27. All applicants for admission must submit short answers to prompts posed by the University.

28. During the relevant time period, applicants for admission were required to submit standardized test scores from either the SAT or the ACT.

29. All applicants for admission must provide a letter of recommendation from at least one teacher who taught the applicant in a core academic area.

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30. All applicants for admission must submit a high school transcript.

31. A school counselor must submit a secondary school statement providing information about the applicant's high school and the available curriculum.

32. Applicants claiming North Carolina residency must provide residency verification.

33. Applicants are required to submit an application fee.

34. The University will waive the application fee for applicants who demonstrate they meet the fee waiver guidelines of the NACAC, ACT, or the College Board or who serve on active duty in the US Armed Forces.

35. Applicants may also submit additional materials, including resumes, artwork, music samples, disability-related documentation, and additional letters of recommendation.

36. The Common Application contains a "Demographics" section that requests, but does not require, the applicant's citizenship status, birthplace, and race, and a "Family" section that requests, but does not require, the applicant's parents' country of birth.

37. Applicants who identify themselves by race or ethnicity are not limited to one race or ethnicity, but may choose all with which they identify.

## **B. Review of Applications**

38. Pursuant to the Board of Governors' Policy 700.1.3, the enrollment of non-North Carolina residents in each incoming freshman class cannot exceed 18 percent.

39. If the University exceeds this cap, the Board of Governors can reduce the University's operating budget for the following year. In the 2014-2015 academic school year, the University surpassed the cap. In response, the Board of Governors penalized the University one million dollars.

40. The University receives applications from approximately twice as many out-of-state applicants as in-state applicants each year.

41. Every application for admission is reviewed by at least one of 30 to 40 application readers, who collectively form the admissions committee.

42. Application readers consist of both full time Admissions Office staff and seasonal Admissions Office employees.

43. Application readers are responsible for evaluating applications and making recommended admissions decisions.

44. With the exception of applications from international students, all applications are randomly assigned to the readers.

45. The Reading Document provides application readers guidance for the review of applications for

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admission. UNC0323603 (DX010) is the Reading Document for the 2016-2017 application year.

46. Readers evaluate each applicant using more than forty criteria grouped into 8 broad categories: academic performance, academic program, standardized testing, extracurricular activity, special talent, essay criteria, background, and personal criteria.

47. Readers assign ratings for five criteria categories: academic program, academic performance, extracurricular activity, essays, and personal qualities.

48. After reviewing the application in its entirety and assigning these five ratings, the reader makes a tentative admissions decision.

49. The reader makes this determination by considering the ratings in the five categories and all other information contained in the application, including the applicant's strengths and weaknesses in the context of the University's applicant pool.

50. There are no minimum rating thresholds or formulas for admission.

51. Readers do not sum up, tally, or total the ratings in any way to yield an automatic admission decision.

52. If an application does not receive a second read, the admissions decision becomes provisionally final after the first read.

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53. Second reads are conducted by a senior member of the admissions office (sometimes referred to as Tier 2 readers).

54. Tier 2 readers read each application that advances to Tier 2 review in its entirety.

55. Tier 2 readers make independent assessments of the candidate across all the specified categories.

56. The Tier 2 reader inputs his or her own admissions decision for the candidate.

57. Recommended admissions decisions made by Tier 2 readers become the provisionally final decision for that application.

58. Readers typically complete their review of applications three to four weeks prior to the release of admissions decisions for that particular admission cycle.

59. Every provisional admissions decision goes through a process known as Decision Review or School Group Review (“SGR”).

60. SGR takes place over the three-week period prior to the release of admissions decisions to applicants.

61. SGR is conducted by a committee comprised of experienced members of the Admissions Office.

62. UNC0079438 (DX012) is the School Group Review policy applicable from October 1, 2015 through the 2016-17 application cycle. (“SGR Policy”).

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63. The SGR Policy provides that every provisional admission decision is reviewed within the context of the applicant's high school during SGR.

64. The SGR Policy provides that the SGR process serves to ensure that decisions concerning applicants from the same high school are reasonable in context.

65. The SGR Policy provides that the SGR process allows the Admissions Office to avoid over- or under- enrollment.

66. Each SGR committee member is assigned a group of high schools to review.

67. Pursuant to the SGR Policy, reports are generated for each high school from which an applicant applied for admission. The reports display the application deadline, provisional admission decision, class rank, GPA, test scores, subjective admissions ratings, residency status, legacy status, recruited student athlete status, and applicable recruiting category of each applicant from that particular high school.

68. Pursuant to the SGR Policy, decisions during SGR are informed, in part, upon the predicted number of spaces in the entering class that students who have been provisionally selected for admission are likely to fill.

69. The Admissions Office runs a yield assessment projection to predict enrollment.



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70. Upon completion of the SGR process, the yield assessment projections are updated; it may be necessary to adjust the number of applicants who will receive an offer of admission to avoid over- or under-enrollment.

71. Admissions decisions are then released to each applicant.

72. Candidates admitted to the University have until May 1 to accept their place in the incoming class and to submit their enrollment deposit or their request for a waiver of their deposit.

73. A small subset of applicants who do not receive offers of admission may be offered a place on the Waiting List.

74. A candidate offered a place on the Waiting List must affirmatively accept that offer in order to receive consideration for any spaces that may become available in the entering class.

75. Final admissions decisions for all candidates who accept a spot on the Waiting List are made by June 30th.

76. The University does not consider an applicant's ability to pay all or part of the cost of their education when making admissions decisions.

### **C. Financial Aid**

77. Students who wish to receive financial aid must complete the Free Application for Federal Student Aid form ("FAFSA") and the College Board's

College Scholarship Service (“CSS”) Profile questionnaire.

78. The FAFSA and CSS forms are used to calculate an applicant’s Expected Family Contribution according to a set formula.

79. The Expected Family Contribution (“EFC”) is an index number that financial aid staff calculate based on information reported by the applicant on the FAFSA form. The University uses it to determine how much financial aid the applicant would receive if they were to attend the University.

80. The difference between the University’s estimated cost of attendance and an applicant’s Expected Family Contribution is known as “demonstrated financial need.”

81. The University offers financial aid packages to some students that cover 100 percent of their demonstrated financial need.

82. For the 2016-2017 school year, the University provided approximately \$159 million in scholarships and grants to undergraduate students.

83. Approximately 41 percent of the first-year entering class for the 2016-2017 school year received a scholarship or grant money from the University.

84. Students whose family income is at or below 200 percent of the federal poverty guidelines qualify for a financial aid program named the Carolina Covenant.

85. Admitted students who are eligible for the Carolina Covenant are offered a combination of grants,

scholarships, and work-study opportunities that meet 100 percent of their cost of attendance and allow them to graduate debt free.

86. Carolina Covenant Scholars account for approximately 12 to 14 percent of each incoming first-year class.

87. The amount of tuition revenue that the University can use to fund financial aid was capped by the Board of Governors at 15% in 2014.

88. In 2006, the University established the Carolina Student Transfer Excellence Program (“C-STEP”).

89. Students whose household incomes fall at or below 300 percent of federal poverty guidelines are eligible for C-STEP.

90. C-STEP offers guaranteed University admission to students who attend one of eleven partner community colleges in the state of North Carolina and complete required coursework and earn an associate degree.

91. The University meets 100% of the financial need of enrolling C-STEP students.

92. The Carolina College Advising Corps (“CCAC”) is a program that works to increase the number of low-income, first-generation college, and underrepresented minority students from North Carolina who enter and complete higher education.

93. The CCAC places recent University graduates as college advisors in selected public high

schools throughout the state to assist with the college admissions and financial aid processes.

94. The CCAC advisors help students identify and apply to post-secondary programs that will best serve them, both academically and socially.

95. CCAC advisors serve one or two high schools where they work full time.

96. In 2017-2018, 57 CCAC advisors served 77 high schools in North Carolina.

97. The CCAC program is not state funded.

98. The CCAC program relies on its own fundraising efforts for 60-70% of its funding.

#### **IV. Data Produced**

99. The University produced data relating to all applicants from the 2012-13, 2013-14, 2014-15, 2015-2016, and 2016-17 admissions cycles (that is, for the incoming freshman classes that would make up the graduating classes of 2016 to 2021).

100. This data includes information on 200,412 applicants during that period (65,123 in-state applicants and 135,289 out-of-state applicants).

101. This data provides a substantial amount of information on each applicant during this period of time, including data on admissions and enrollment decisions, whether the applicant applied for early action, academic background measures such as test scores and grades, the five ratings that the University's admissions officers assigned to each file, and

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demographic information such as residency status, race/ethnicity, gender, and whether the applicant is a first-generation college student. The data also include information relating to several other special recruiting categories such as scholarship finalists and athletes.

102. The University also produced 625 randomly selected application files from each of the 2013-14, 2014-15, 2015-16, and 2016-17 admissions cycles (2,500 total application files).

Respectfully submitted this 5th day of November, 2020.

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JA360

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
UNIVERSITY OF NORTH CAROLINA, et al., )  
 )  
Defendants. )  

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DEPOSITION OF CHRISTOPHER FAISON

TAKEN AT THE OFFICES OF:  
UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL  
222 East Cameron Avenue  
110 Bynum Hall  
Chapel Hill, NC 27514

03-03-17  
8:58 A.M.

\* \* \*



[pp. 299:4-320:14]

Q. Okay. You made reference before when we were talking about this just a few minutes ago about -- and I don't -- I'm not trying to state it exactly, but about how that group shows up. You said something like that?

A. Uh-huh (yes). Yes.

Q. Were you referring to sort of how vocal or active that the group is within the campus community? Is that -- was that -- that was meant in reference?

A. No, it's more about -- so, with -- with respect to, if we're going to focus on race and ethnicity for -- for now, it's with respect to the way that someone presents themselves.

Q. Okay.

A. So, for instance, with let's say Latinx folks. If someone is -- they have a -- a certain look about themselves that suggests that they have Latino heritage, then that's one example.

Q. Okay.

A. Whereas there can be a Latinx student who is white passing, and doesn't appear to be Latino, then that's another example. So that's what I meant by the ways in which people show up.

Q. Okay.

A. But ---

Q. They way they exhibit characteristics that ---

JA362

A. And the way they ---

Q. --- typically identify with that racial group?

A. Yes. Or also where -- how are -- how are they in their racial identity development, because although you may check a box that says that you are X, does not mean that you're all on the same level of racial identity. That's the example you mention of the protest. So just because you're a Latino student does not mean that you will all go out and protest for Latino issues.

Q. Sure.

A. So that's the other variance when it comes to the notion of critical mass.

Q. Okay.

A. And also with respect to the campus climate that we were talking about earlier, you can have allies --- which we love to use that phrase nowadays --- where you don't have to necessarily be a part of that group, but you may be a champion of the issues. So that can also impact the definition I use for critical mass.

Q. Okay. So in other words -- and we'll just keep it in racial group for now because that's what we're talking about right now. If let's say there -- the campus climate involves some controversy that relates to some political goings on around the world and with respect to that issue, Asian students and Hispanic students identify with each other, then that may affect what is critical mass for Asian students and Hispanic students at that given moment in time because they are allies

JA363

and champions for each other in some outward respect on campus. Is that right?

A. Yes, it could.

Q. Okay.

A. Uh-huh (yes).

Q. So then am I correct that in the meaning that you ascribe to critical mass, critical mass can be different for each and every racial group on campus?

A. Potentially, and at different -- at different points in time ---

Q. Right. Right.

A. --- given the -- given the population of the students at the time.

Q. And the climate?

A. Right.

Q. And the presence of those groups in the faculty and administration, how senior and visible they are and all those things we just discussed, correct?

A. And then the other piece would be back to the intersectional identity piece. If a certain percentage of students happened to be -- let's say -- let's say Asian students have -- there happen to be a large number who are not citizens, then depending upon the context of the situation or of the campus, Asian students that are not citizens may have a certain focus with respect to critical mass as opposed to residents that are at the campus.

JA364

So you -- so even if you -- you may have -- when we try to make nice and neat boxes with respect to race and ethnicity, Asian and Asian-American are often very different.

Q. Sure.

A. So, it's important to understand that when we're trying to look at the educational benefits of diversity that it's not as simple as what -- and to the credit of the University of allowing students who choose more than one race or ethnicity in 2010 has been helpful, but it also provides somewhat of a quagmire when you try to compare that data to data prior to that whenever we didn't give students that ability. So it just makes it for kind of a -- a fun situation when you're trying to compare things over time.

Q. So, is it -- well, I think the sum of what I'm hearing is that critical mass is not as simple as the government labels for racial and ethnic groups. Right?

A. Certainly.

Q. So -- and this -- I think this touches on a point you made earlier about how within Hispanic students, for example, Mexican-American students make up a large portion of the Hispanic students at University of North Carolina. But there are many other kinds of Hispanic students both at University of North Carolina and otherwise, and so that bears on critical mass, too.

A. It does.

JA365

Q. Just in the manner of the different sort of segments of the Asian population that might be on the campus, as you mentioned a minute ago. Correct?

A. Correct, and that's evidenced by the student groups that we have. Almost every Asian group that I'm aware of has its own student association. So that speaks to the notion of the complexity of critical mass as well as even with the -- the Hispanic versus Latino debate.

Students have taught me that while Hispanic may be the official census term or whatever, a lot of the students and folks kind of refer to themselves as Latino or Latinx now because it's gender neutral because that was not the label that the government placed on them. So I have to be intentional about thinking about how I even -- how I even name students because I could lose them by calling them what the government calls them as opposed to how they call themselves.

Q. Okay. So would you say there is a critical mass of under-represented minority students at UNC-Chapel Hill currently?

A. It's hard to define that for me right now.

Q. Well, let's -- let's think about it in terms of -- maybe we can think about it in terms of the individual racial groups because that may be easier given the way that you perceive critical mass.

A. Okay.

JA366

Q. So, let's use one of the examples we talked about before. Is there a critical mass of American Indian students at UNC?

A. So when I think about that question, my first response as a person who's not Native, though considering myself a Native ally, is to -- I would prefer for a Native person to give that response because I think that that's a little bit more relevant. Or it's a better -- it's a better answer than what I may give. But if I were to give an answer as an ally, I would say based upon what they tell me, that the answer would be no.

Q. Okay. What about Hispanic students? I'm sorry. I'll say Latinx. What about Latinx students? Do you think there's a critical mass of Latinx students here at University of North Carolina-Chapel Hill?

A. So again, although an ally, and I'm not -- I don't identify with Latinx ---

Q. I'm sure everybody on this campus perceives you as an ally. You seem like a really nice guy.

A. Well, that remains to be seen. I would like to think that, you know. So Latinx, based upon the last semester, they have made their voices loud and clear to say that they don't feel like they have one either.

Q. Okay. Can you tell me what you're referring to?

A. I'm referring to some protests in the fall semester with respect to the -- the treatment of Latinx students and spaces for them and even representation in the administration and things of that nature. So the

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notion that makes possibly being a minority within the minority, so.

Q. So there was controversy on campus about the treatment of Latinx students and their representation in and among the faculty?

A. Well, just -- just the entire -- the way that they showed -- going back to another phrase that I used, the way that they show up on campus. They -- they have had some issues with feeling like their issues have been taken seriously and prioritized.

Q. Okay. So Latinx students, I guess, have perceived that their -- issues important to them have not been prioritized at the school?

A. Yes.

Q. Or at least weren't in the Fall, I guess?

A. Right.

Q. I mean, maybe there have been some solutions since then. Have changes been made in that regard, that they protested and urged for the University to make?

A. I know that -- I understand that they're -- from just media reports, that there have been -- there's being some conversations being had, but I'm not a part of those to know for certain.

Q. Now let me ask you this. So -- and I understand you don't know where those conversations are.

A. Uh-huh (yes).

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Q. But given that those conversations are being had, does that suggest that the Latinx students at UNC-Chapel Hill do have a critical mass?

MS. BRENNAN: Objection, asked and answered.

MR. MCCARTHY: I didn't ask the question and he didn't answer.

Q. (Mr. McCarthy) So there's a new factor that you brought into this ---

A. Uh-huh (yes).

Q. -- that makes it different from the question I asked before.

A. Okay.

Q. So, given that the protests of Latinx students have led the University to consider the things they were urging, does that suggest that there is a critical mass of Latinx students on campus?

A. Again, I think it goes back to the -- the student -- the people that's most affected and for them to -- to speak on that behalf. I would say from what I -- I mean, I haven't seen any resolution from my vantage point. So I don't know if that means that there is at this point.

Q. Okay. So let's -- let's just, you know, continue with the hypothetical. Let's say the things that Latinx students were advocating for, the University meets with them and says, "You're right. We will give you the things that you've been urging." And then presumably



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the Latinx students would be pretty happy about that, the ones that were advocating for this.

A. Uh-huh (yes).

Q. Would that tell you, you know what, there is a critical mass of Latinx students at UNC-Chapel Hill because they made their voices heard and the administration did what they asked for? They had the strength in numbers and voices to get what they wanted.

A. I think a good measure for that would be not only a point in time, but over time if the commitment remained beyond just a -- a quick fix.

Q. Okay.

A. So if it -- if it were sustained over time, then possibly that could be viewed as critical mass. But again, you know, I defer to the community who identify primarily to define that versus me.

Q. You are an ally. So as an ally, in your opinion, that could happen. You defer to them and would take their word for it over yours.

A. Yes.

Q. Okay. What about -- what about African-American students at University of Chapel Hill. Do you think there is a critical mass of African-American students at Chapel Hill?

A. So as an African-American, I have heard students say, especially whenever, you know, you -- you get the same similar kind of concern about -- about

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things that they don't necessarily feel that they have that as well. And you know, sometimes it's -- it's based upon -- a lot of times it's based on perception or based upon kind of what -- what groups -- what subgroups you're a part of.

If you're a part of the mainstream part of campus, then you may feel like there is. But if you're a part of -- within the African-American students if you -- or black/ African-American, you could be Carribean. You could be from an African nation. You could be a black Latinx student.

So, it just depends on, again, within that group who you speak to because you would get different answers. But I think the mainstream students that you see kind of involved in most stuff may feel like there could be, but it just -- it just depends on kind of who you ask.

Q. So I'm -- I'm just going to ask you right now. I understand they might have different opinions. So let's take some of those examples that you just mentioned, right? If you have a -- for the segment of black students that's also Latinx --

A. Uh-huh (yes).

Q. --- do you think there's a critical mass of those students at University of North Carolina-Chapel Hill?

A. Of which students?

Q. Of the black students that are also Latinx. Is there a critical mass of those students at University of North Carolina-Chapel Hill?

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A. Based upon what students say, I don't believe so. They're just -- they're starting to find their voice from what I -- what I hear, which is good.

Q. Okay. Sure. What about -- I think another group you mentioned was African students?

A. Uh-huh (yes).

Q. What about African students? Is there a critical mass of African students at Chapel Hill?

A. From what students say, they feel like there's a -- a reasonable community here. But another path that I did not know existed or splinter that I didn't know existed was within the organization of African -- African Students and Solidarity, which is the main African student group. East African students felt like they weren't represented, and so they started kind of their own. And so that was news to me to understand that there was even within the African student population this notion of in group, out group.

And so the group, I think, existed for a year or two and I don't think -- I think it was based upon the students that were here at the time. So I think they've gone back to the main group. But then others may have, you know, decided to not be in it. So again, I think the West African students would say so, but -- it's just -- it's fascinating to understand ---

Q. It is.

A. This was not the case when I was a student here.

Q. It is. So -- so theoretically there may have been a critical mass of African students at some point here.

But then because of a splintering of those groups, between West and East African ---

A. Uh-huh (yes).

Q. --- perhaps there is no longer a critical mass of East African students, but maybe a critical mass of West African students?

A. Potentially.

Q. Okay. What about, as you described, mainstream African-American students? Is there a critical mass of, as you described them, "mainstream African-American students"?

A. So again, I'll go back to there are students who -- and when I say "mainstream," I mean black American students who were born here and identify as black American students. There are students who I work with who are in the main line of organizations and feel pretty adjusted and -- and feel like, you know, they see themselves in other places.

But then there are students who choose to identify in other circles that are not mainstream black students. So they may join, for instance, Greek letter organizations that are outside of their ethnic group. I've come to understand that a good number of black male and black female students have done -- chosen to rush historically white fraternities and sororities. And so those students may not necessarily feel like there's a critical mass of their population. But it's interesting again to see.

Clearly, out-of-state students don't feel like there is because of the cap that we have. But then in-state students, there's also the notion of rural, urban. So it's just -- it's just again -- it's -- I enjoy hearing the stories that people tell because, you know, the larger metropolitan areas are rather represented, I think, just as a university in general. So Charlotte, the Triangle, the Triad, they tend to do pretty well. But then if you're from any of the other counties, especially not along the beltway, then those students may not feel like -- that they have a critical mass.

So it's just -- it's just a -- it's an ever change -- ever moving target and I -- I think that I'm -- I'm glad to know that this exists because I didn't -- I wasn't aware of this before -- before I took this role. So it's -- it's good to know.

Q. Okay. So you mentioned something in there that was really interesting to me. This idea -- you mentioned again, what you were describing as "black Americans." So black students who grew up in America and sort of identify with mainstream African-Americans, that in some respects there is a critical mass of that group. But then you also said but you understand that some members of that group are joining historically white Greek organizations. And that -- that's interesting, as you said. But I want to ask how that -- what that means for critical mass.

In some sense, when a student of an ethnic group has the wherewithal to step out amongst their own group into another group, that reflects a confidence that they have that may suggest that they believe there is a critical mass, and so I don't feel like I'm invisible

anymore. I'll step out and do whatever I want to do. So is it possible that for those students they feel like there is a critical mass of ---

MS. BRENNAN: Obje ---

Q. (Mr. McCarthy) --- in this case, mainstream black Americans?

MS. BRENNAN: Objection.

Q. (Mr. McCarthy) If you understand my questions, I'm just trying to continue the dialog with you. Do you understand my question?

A. Uh-huh (yes).

Q. Please -- please answer.

A. So I -- so I think just from the students and when I talk to them, they -- they share that. So those students who happen to join white Greek letter organizations, it's more of a comfort level or a based upon their own lived experience as opposed to them coming from a background where they're being different than what they are when they get here. So, like, you mentioned confidence. I don't necessarily -- that might be the case for some of them, but some of them it's about the background they've had, the schooling they've had, the community they grew up in. All those things play a factor into why they may choose to join.

And then that's not to mention -- so let's stick with that population -- what are the experiences of the students that are in those? They may not all be positive, especially if they're the first or there haven't

been another in a long time. So it's just -- I think it -- it just really depends on the student and their individual experience because some may rush and decide not to join or join and decide to leave.

It just -- those are the kind of questions I think we're -- we're better served by asking as opposed to assuming that for one, that if you're a black American mainstream student, that you didn't come from a background where -- you came from a background that was exclusively black, which we know is not the case for a lot of students from North Carolina, especially the metropolitan areas. So -- or that you were from a community that was very -- let's say I'm a minority -- majority area, but you went to another school that was out of your community. So it's just -- there's just a lot of factors that I think impact the notion of critical mass that people sometimes place onto students as opposed to it coming from students themselves.

Q. So let's ask -- let me ask that about Asian students at University of North Carolina-Chapel Hill. Do you think there's a critical mass of Asian students?

A. Here at Chapel Hill? I think -- so back to the initial point I made about the difference between Asian students and Asian-American students and then all the different student groups that exist, I think you'll get different answers about that.

Q. And you would know better than me, so there's certainly different -- lots of different subgroups within, you know, the government label of Asian.

A. Right.

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Q. Right? So I presume here at Chapel Hill there's Chinese Americans, Japanese Americans, Asian-Indian Americans, Vietnamese, Cambodian, all sorts ---

MS. BRENNAN: Are you talking about the student population?

MR. MCCARTHY: Yes.

Q. (Mr. McCarthy) Correct?

A. Uh-huh (yes).

Q. Sort of a wide variety of students that fit within the umbrella of the government label Asian.

A. Right.

Q. And so it sounds like you're saying, at least maybe in part, because of the wide variety of subgroups that are considered Asian that it's hard to try to quantify whether there's a critical mass of any one of those here on campus?

A. Yes.

Q. But I think you mentioned that there's a lot, as far as you can know, there's a lot of different organizations of those subgroups on campus. So it seems like those subgroups are fairly active and vocal. Is that correct?

A. The -- I would say the existence of the groups don't necessarily mean that they are active and vocal.

Q. Fair enough. Fair enough. Must be a lot of ethnic or racially oriented student groups at Chapel Hill. I



mean, it sounds like there's a lot between all the different various subgroups ---

MS. BRENNAN: Objection to form.

Q. (Mr. McCarthy) --- racial subgroups here. Yes or no? Are there -- do you find that there are a lot of ethnic or racially oriented student groups here?

MS. BRENNAN: Same objection.

Q. (Mr. McCarthy) But you can -- if you understand the question, you can answer -- I mean, you can answer.

A. So "a lot," I think is relative. I do know there are over 800 student groups, but I'm not aware of the exact number of -- of ethnic groups or groups of students with ethnic backgrounds also given the fact that a lot of the white students tend to join these organizations, too. So -- so it makes it -- makes it a little more difficult, not to mention also the multiracial groups that exist, such as SWIRL and MASH.

So there's -- the students just continue to come up with different groups and it just really makes it more of a challenge for people to understand how they identify and what their areas of interests are. And so while it's a -- it's a good thing in lots of ways, I think it's also -- it makes it a challenge -- that makes it a challenge for those who are trying to get their arms around what all this looks like.

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JA378

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
UNIVERSITY OF NORTH CAROLINA, et al., )  
 )  
Defendants. )  

---

DEPOSITION  
OF  
RUMAY ALEXANDER, EdD, RN

TAKEN AT THE OFFICES OF:  
UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL  
222 East Cameron Avenue  
110 Bynum Hall  
Chapel Hill, NC 27514

04-18-17  
8:58 A.M.

\* \* \*

[pp. 79:25-81:17]

What does it mean to achieve a critical mass of one of these underrepresented populations?

A. There is no set number.

Q. Uh-huh (yes).

A. It's not up for DMA or to decide what those numbers are.

Q. Uh-huh (yes).

A. This really is about this -- it really is conjectural.

Q. Uh-huh (yes).

A. And it really is about how individuals in the unit feel, their sense of welcoming of presence, of ability to flourish, to see people like them succeed.

Q. Uh-huh (yes). And some of this has to do -- I'm just trying to go back to where we were talking about before. Does some of this have to do with not only the presence of others with similar viewpoints and perspectives within their school, but also the expression of those viewpoints and perspectives within that school?

A. I think it's all interwoven.

Q. Okay.

A. Yeah.

Q. Okay. So, let's -- let's talk about the School of Nursing for a minute because you know a lot about

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what goes on there and have a lot of experience with the students and faculty there.

Would you say that there is a critical mass of, let's say, Asian stud -- you said there's a critical mass of Asian students within the School of Nursing?

A. My last communication with those students was no.

Q. Okay. And now, it -- it sounds like you're telling me that a lot -- it sounds like what you're telling me is that whether or not critical mass exists depends in large part on the expressions of how those particular students feel within that school. Is that correct?

A. That's correct.

Q. Okay.

A. It's their lived experience.

\* \* \*

JA381

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
UNIVERSITY OF NORTH CAROLINA, et al., )  
 )  
Defendants. )

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AMENDED DEPOSITION OF NI-ERIC PERKINS

THIS DEPOSITION CONTAINS HIGHLY  
CONFIDENTIAL AND PROPRIETARY  
INFORMATION AND IS SUBJECT TO A  
PROTECTIVE ORDER RESTRICTING PUBLIC  
DISCLOSURE OF ITS CONTENTS

TAKEN AT THE OFFICES OF:  
UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL  
222 East Cameron Avenue  
110 Bynum Hall  
Chapel Hill, NC 27514

05-17-17  
8:25 A.M.

\* \* \*

[p. 97:3-13]

Q. It says here, "SGR reports do not contain information on an applicant's race or ethnicity." That -- that's the case.

A. That's correct.

Q. I believe earlier you testified that race and ethnicity does come into account in the SGR process.

MR. TOLCHIN: Objection.

A. Yes. So this is not available on the SGR handout. The moment you click into a file, it's available to you.

\* \* \*

[pp. 101:24-102:2]

Q. Okay. Are you capable of conducting a holistic review of an applicant without knowing the applicant's race?

A. Yes.

\* \* \*

[p. 117:11-18]

Q. And I believe you said earlier you could fairly evaluate candidates for admission without knowing their race as well.

A. Some students do not provide it, so.

Q. And how -- how does that affect your review of an application if you don't know a students' race?

A. It doesn't.

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JA384

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
UNIVERSITY OF NORTH CAROLINA, et al., )  
 )  
Defendants. )  

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DEPOSITION OF BARBARA POLK

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SUBJECT TO A PROTECTIVE ORDER  
RESTRICTING PUBLIC DISCLOSURE OF ITS  
CONTENTS

TAKEN AT THE OFFICES OF:  
UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL  
222 East Cameron Avenue  
110 Bynum Hall  
Chapel Hill, NC 27514

05-19-17  
8:30 A.M.

\* \* \*



[pp. 42:7-44:1]

Q. Would you agree with me that sometimes one particular factor can be the tipping point in recommending an applicant for admission?

MR. SCUDDER: Objection.

A. Yes.

Q. (Mr. Strawbridge) And is race sometimes that tipping point?

MR. SCUDDER: Object to the form.

A. Yes.

Q. (Mr. Strawbridge) You mentioned earlier that before two or three years ago, you couldn't remember exactly when, the ethnic makeup of the -- of the building class, the class that was being -- that was accepting their offers for admissions was available to the people in the admissions office. Right?

MR. SCUDDER: Objection.

A. Yes, I said it was available.

Q. (Mr. Strawbridge) How was it available? In what forms?

MR. SCUDDER: What time period are we talking about?

Q. (Mr. Strawbridge) Before two or three years ago when this change was made.

A. If I'm understanding the question, you're referring to the Core Report?

A. Well, yes. And at one point you said you couldn't remember when Core Reports were available, so I don't know if the Core Report's the only in which that information was available. I'm asking what ways, Core Report or otherwise, was that information available to the people in the office?

MR. SCUDDER: Object to the form.

A. It would have been posted on a shared site.

Q. (Mr. Strawbridge) And that's a shared site that anyone could log into and check within the office?

MR. SCUDDER: Objection.

A. Prior to the last two to three years, yes, I believe so.

Q. (Mr. Strawbridge) And was that information updated on a daily basis?

A. Yes.

\* \* \*

[pp. 44:15-45:16]

Q. (Mr. Strawbridge) Well, when I say profile, I should -- I should correct. I'm not referring to a specific document. But what I'm talking about is the information that was available to anyone who logged in on the site which contained, among other things, information about the ethnic makeup of the class that had been admitted and had accepted their offers to date.

A. At what point in time?

Q. Two or three years ago. Was that same information sometimes discussed at meetings is the question.

MR. SCUDDER: Object to the form.

A. Prior to, I would say, three years ago, yes.

Q. (Mr. Strawbridge) And would it be discussed at meetings of the entire office in terms of the people who are involved in the admissions reading process?

MR. SCUDDER: Object to the form.

A. In terms of evaluation, yes.

Q. (Mr. Strawbridge) And do you know why that change was made?

MR. SCUDDER: Same objection.

A. We made that change at the same time that we made the core -- had the Core Report no longer available to everyone in the office.

\* \* \*

[pp. 255:-256:12]

meetings that I participate in.

Q. Okay. When you say the Undergraduate Advisory Committee, that's like the standing faculty committee that has oversight ---

A. Uh-huh (yes).

Q. --- over ---

A. Faculty Advisory Committee on Undergrad.

JA388

Q. And do you recall the first time discussing the term of critical mass with that committee?

A. Several years ago, but I don't remember the exact year or meeting.

Q. And what do you understand critical mass to mean today?

A. Critical mass would mean having -- if we're talking about it in light of students and the student -- students within the University community, having enough students of particular backgrounds so students are comfortable on campus and that when that -- when students from those backgrounds speak whether it's participating in classroom discussion or any other discussion, that they are seen, as heard, as an individual, not as a representative of that entire group or subpopulation.

Q. And how do you -- or at least how does UNC, to your understanding, go about determining whether or not a critical mass exists under that term?

A. I don't think that we actually know. If the critical mass exists, I think steps are ongoing to talk with students, to talk with faculty, to get feedback from the University community as to how people feel. But there's no concrete definition. There's nothing that says when you get to X you will have reached critical mass.

\* \* \*

JA389

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
UNIVERSITY OF NORTH CAROLINA, et al., )  
 )  
Defendants. )  

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AMENDED DEPOSITION  
OF  
DR. TAFFYE BENSON CLAYTON

THIS DEPOSITION CONTAINS HIGHLY  
CONFIDENTIAL AND PROPRIETARY  
INFORMATION AND IS SUBJECT TO A  
PROTECTIVE ORDER RESTRICTING PUBLIC  
DISCLOSURE OF ITS CONTENTS

TAKEN AT THE OFFICES OF:  
UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL  
222 East Cameron Avenue  
110 Bynum Hall  
Chapel Hill, NC 27514

05-24-17  
8:55 A.M.

JA390

\* \* \*

[pp. 52:12-53:1]

In terms of this goal, “Achieving critical masses of underrepresented populations necessary to ensure the educational benefits of diversity,” is the University -- I should say, does the University try to achieve critical mass for all kinds of different populations, not only ethnic/racial but religious, geographic, etcetera?

A. Because critical mass is amorphous, you know, there -- there is really not a way to make the determination. The question of whether or not the University makes continuous efforts to ensure that there -- there -- that we have a diverse community and that -- that, you know, diversity is leveraged and that we are learning from the diversity that exists is really the effort.

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JA391

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 UNIVERSITY OF NORTH CAROLINA, et al., )  
 )  
 Defendants. )  

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DEPOSITION  
OF  
CAROL LYNN FOLT

TAKEN AT THE OFFICES OF:  
UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL  
222 East Cameron Avenue  
110 Bynum Hall  
Chapel Hill, NC 27514

05-31-17  
8:32 A.M.

\* \* \*

[pp. 118-119]

effects, I guess, as you define it.

Q. Are you familiar with the term “critical mass” with respect to diversity on campus?

A. Somewhat.

Q. What do you understand the term “critical mass” to refer to?

A. I think it's a pretty qualitative statement that says that in most people's mind it means that you achieved a level of comfort in a classroom or in experiences where all people can express and feel that their opinions can be heard, that they can be respected, that there's empathy. You know, I think these are all very -- it's a very qualitative -- in my mind, a very qualitative concept.

Q. Why do you think it's a qualitative concept?

A. Because I don't think it can be defined. You know, I think it really is very specific to the circumstances.

Q. Can it be measured?

A. No. Not in a quantitative way, no. think it's a qualitative way.

Q. Could it be measured in a qualitative way?

A. I -- I think what you can measure is the extent to which people are, things I said, feeling comfortable in the classroom. Are they hearing differences of opinion? Are -- is there empathy in that classroom? Are they



feeling comfortable expressing questions. You know, I think there are many things you can ask all of which contribute to an understanding, none of which stands alone. Again, it's a holistic, kind of a comprehensive way to look at that.

Q. Is -- is it the University's goal in using race in the admissions process to obtain a critical mass of -- of students of different races on campus?

A. I don't think that's -- I have no idea if that's how it's stated. I think the goal is to create an institution where the educational benefits of diversity can be realized so that we are really continuing to do things to create that environment.

Q. Do you think critical mass, as a concept is related to that goal or not?

A. I think the idea that we want to have a classroom where everyone can achieve the educational benefits is deeply a part of our

\* \* \*

[pp. 167:4-168:5]

Q. (Mr. Strawbridge) Is there a level of enrollment of the groups that are reflected here that, in your mind, would be sufficient to stop using race in the admissions process?

A. No. In a comparative sense, no. I don't think our admissions is determined by whether the other schools have some number. That's not what I'm looking for.

JA394

Q. So even if -- even if the University had the highest enrollment of underrepresented minorities in the nation, you think that it would still be important to continue using race in the admissions process?

A. I don't think those are related. I don't -- I mean that's -- one's a comparison of other schools. It's not about what's working in your classroom.

Q. And you don't have, right now, the ability to say whether there's any particular level of racial enrollment that would -- that would satisfy you that the ---

A. No.

Q. --- level of diversity ---

A. No, I don't.

Q. --- would be sufficient to stop using race?

A. No, I don't.

\* \* \*

JA395

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 UNIVERSITY OF NORTH CAROLINA, et al., )  
 )  
 Defendants. )  

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**AMENDED DEPOSITION  
OF  
DAMON TOONE**

**TAKEN AT THE OFFICES OF:  
UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL  
222 East Cameron Avenue  
110 Bynum Hall  
Chapel Hill, NC 27514**

06-06-17  
8:53 A.M.

\* \* \*

[pp. 70-71]

critical mass of that group?

MS. COMBS: Objection, asked and answered.

A. Critical mass is important for any of the groups we've been talking about.

Q. (Mr. Norris) Okay. Is it important because without a critical mass you can't obtain the educational benefits of diversity?

MS. COMBS: Object to form.

A. Critical mass is important because we care deeply about the students that we admit and enroll to UNC and we do not want students to feel as though they have to be the singular voice for their group, their culture, their first generation college status, their religion, their orientation. Thus, critical mass is important.

Q. (Mr. Norris) So if a student or group of students does not feel like they are the single voice, has UNC achieved a critical mass?

MS. COMBS: Object to form.

A. If a group of students feel that way and feel that their views are -- diverse views, I would argue, within their culture are being represented, that's optimum.

Q. (Mr. Norris) Okay. Do you have a definition of critical mass?

A. Different than the one we just talked to?

JA397

Q. It could be the same one.

A. Same one.

Q. Same one that students feel like they have a voice. Is that correct?

A. Students don't want to be -- a first generation college student, similar to what you used earlier who's grown up wealthy, is not going to have the exact same situation as a "first generation" college student who's grown up poor or a first generation college student with a racial identity or sexual orientation or out of state, so the more students you have of differing backgrounds, the better we can utilize their experiences to inform some of the things we teach at Carolina.

Q. So does critical mass require a certain number of a certain group to be represented on campus?

A. Numbers are a starting point but certainly don't influence or inform the whole story.

Q. But zero is not a critical mass? Is

\* \* \*

JA398

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
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Plaintiffs, )  
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vs. )  
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UNIVERSITY OF NORTH CAROLINA, et al., )  
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Defendants. )  

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**SECOND AMENDED DEPOSITION OF  
ANDREW PARRISH**

**THIS DEPOSITION CONTAINS HIGHLY  
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**TAKEN AT THE OFFICES OF:  
UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL  
222 East Cameron Avenue  
110 Bynum Hall  
Chapel Hill, NC 27514**

06-21-17  
9:02 A.M.

\* \* \*

[p. 207:4-24]

Q. (Mr. Weir) What is your understanding of how -- how Asian Americans test on a national average?

A. That they test higher than African American, Hispanic / Latino and the American Indian.

Q. Do you take that into account when you're reading applications from Asian American students?

A. Yes. That is one of the things I keep in mind.

Q. Do you treat all Asian American students the same in that regard?

A. In what regard?

Q. In regard to their -- the national average of their testing scores?

A. Yes. But I also know that, I mean, they're allotted for factors that come into play for each and every applicant. First generation college student, students from lower socioeconomic backgrounds; I mean, there's -- there's lots of factors that can affect testing ---

\* \* \*

JA400

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
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Plaintiffs, )  
 )  
vs. )  
 )  
UNIVERSITY OF NORTH CAROLINA, et al., )  
 )  
Defendants. )  

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DEPOSITION OF JIM DEAN

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RESTRICTING PUBLIC DISCLOSURE OF ITS  
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TAKEN AT THE OFFICES OF:  
UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL  
222 East Cameron Avenue  
110 Bynum Hall  
Chapel Hill, NC 27514

06-23-17  
9:03 A.M.

\* \* \*



[pp. 143:20-145:5]

Q. Is the university's use of race in admissions today designed to achieve the critical mass of underrepresented minorities on campus?

A. No.

Q. And how is -- how is what the university is trying to achieve different than achieving critical mass, in your mind?

A. Well, my understanding of the term "critical mass" is that it's a -- I'm trying to decide if it's an analogy or a metaphor; I think it's an analogy -- to a nuclear reaction in that there is some exact number within a nuclear reaction at which something explodes. I'm not great at physics, but it's something like that.

Q. A criticality event?

A. Yeah, exactly. So -- so the analogy, then, would be that -- that there is a specific point of -- of diversity on any topic, but conceivably race, since that's what you're asking about, that would lead, sort of in a discontinuous, non-linear manner, to certain benefits. So that's my understanding of it.

Q. And so you don't think that that has any connection to what the university is trying to achieve with its use of race?

MR. SCUDDER: Objection to the form.

A. No, because we've -- we've literally never talked about it that way. I mean, I saw the phrase being used in the report in that, you know, the report argued that

JA402

we need to achieve a critical mass. In all my conversations with Steve Farmer, that phrase has never come up. Neither -- no one has directed anybody to achieve a critical mass, and I'm not even sure we would know what it is.

\* \* \*

[p. 196:5-18]

Do you agree that at the end of the day admissions is somewhat of a zero-sum game in that there are only a certain number of seats that can go to applicants?

MR. SCUDDER: Object to the form.

A. Well, it's certainly true that there's only a certain number of seats that can go to applicants, yes.

Q. (Mr. Strawbridge) So at some point -- at some point, you know -- you know, if one person gets in, that means that's one less seat that's available to the other applicants?

A. I think that must be mathematically true, yes.

\* \* \*

JA403

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
NORTH CAROLINA**

**CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW**

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STUDENTS FOR FAIR ADMISSIONS, INC., )  
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Plaintiffs, )  
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vs. )  
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UNIVERSITY OF NORTH CAROLINA, et al., )  
 )  
Defendants. )  

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DEPOSITION OF MICHAEL KOSOROK

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TAKEN AT THE OFFICES OF:  
UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL  
222 East Cameron Avenue  
110 Bynum Hall  
Chapel Hill, NC 27514

11-28-18  
8:57 A.M.

\* \* \*

JA404

[pp. 85:20-86:1]

Q. Understood. Do University lawyers sometimes attend the committee meetings?

A. They have attended on occasion.

Q. Okay. And just to make sure I understand, they have attended the meetings of the Committee on Race Neutral Strategies?

A. Yes.

\* \* \*