IN THE SUPREME COURT OF THE UNITED STATES

No. 25-183

THOMAS CROWTHER, ET AL., PETITIONERS

v.

BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA, ET AL.

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

MOTION OF THE UNITED STATES FOR LEAVE TO
PARTICIPATE IN ORAL ARGUMENT AS AMICUS CURIAE
AND FOR DIVIDED ARGUMENT

Pursuant to Rules 28.4 and 28.7 of the Rules of this Court, the Solicitor General, on behalf of the United States, respectfully moves for leave to participate in the oral argument in this case as amicus curiae supporting respondents and requests that the United States be allowed ten minutes of argument time. Respondents consent to this motion and have agreed to cede ten minutes of argument time to the United States. Accordingly, if this motion is granted, the argument time would be divided as follows: 30 minutes for petitioners, 20 minutes for respondents, and 10 minutes for the United States.

This case presents the question whether Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq., provides employees of federally funded educational institutions a private right of action to sue for sex discrimination in employment. At the invitation of the Court, the United States filed a brief as amicus curiae at the petition stage of this case. In that brief and in its merits-stage amicus brief supporting respondents, the United States argued that the answer to the question presented is no and that petitioners' claims must instead be brought, if at all, under Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq.

The United States has significant interests in the question presented in this case. The United States is responsible for enforcing both Title IX and Title VII. The United States has frequently presented oral argument as amicus curiae in cases concerning Title IX and other federal anti-discrimination laws, see, e.g., West Virginia v. B.P.J., 146 S. Ct. 2356 (2026); Ames v. Ohio Dep't of Youth Servs., 605 U.S. 303 (2025); Muldrow v. City of St. Louis, 601 U.S. 346 (2024); Cummings v. Premier Rehab Keller, P.L.L.C., 596 U.S. 212 (2022), as well as cases concerning the availability of implied private rights of action to enforce federal statutes, see, e.g., Cisco Sys., Inc. v. Doe, 146 S. Ct. 1882 (2026); FS Credit Opportunities Corp. v. Saba Cap. Master Fund, Ltd., 146 S. Ct. 1546 (2026). We therefore believe that the United States' participation in oral argument in this case would be of material assistance to the Court.

Respectfully submitted.

D. JOHN SAUER
Solicitor General
Counsel of Record

AUGUST 2026