

1 STACEY M. LEYTON, SBN 203827  
 2 sleyton@altber.com  
 3 BARBARA J. CHISHOLM, SBN 224656  
 4 bchisholm@altber.com  
 5 CONNIE K. CHAN, SBN 284230  
 6 cchan@altber.com  
 7 AMANDA C. LYNCH, SBN 318022  
 8 alynch@altber.com  
 9 JUHYUNG H. LEE, SBN 315738  
 10 hlee@altber.com  
 11 ALEXANDER PECHT, SBN 355877  
 12 specht@altber.com  
 13 **ALTSHULER BERZON LLP**  
 14 177 Post St., Suite 300  
 15 San Francisco, CA 94108  
 16 Tel: (415) 421-7151

17 *Counsel for Plaintiffs AAUP, AFT,  
 18 UC-AFT, CNA/NNU, UAW, and CIR*

19 BRETT A. SHUMATE  
 20 Assistant Attorney General  
 21 JOSEPH BORSON  
 22 Assistant Branch Director  
 23 HEIDY L. GONZALEZ (FL Bar #1025003)  
 24 United States Department of Justice  
 25 Civil Division, Federal Programs Branch  
 26 1100 L Street NW  
 27 Washington, DC 20530  
 28 Tel: (202) 598-7409  
 29 Email: heidy.gonzalez@usdoj.gov

30 *Counsel for Defendants*

31  
 32 **UNITED STATES DISTRICT COURT**  
 33  
 34 **NORTHERN DISTRICT OF CALIFORNIA**  
 35  
 36 **SAN FRANCISCO DIVISION**

37 AMERICAN ASSOCIATION OF  
 38 UNIVERSITY PROFESSORS, et al.,

39 Plaintiffs,

40 v.

41 DONALD J. TRUMP, in his official capacity as  
 42 President of the United States, et al.,

43 Defendants.

44 Case No. 3:25-cv-07864-RFL

45 **[PROPOSED] ORDER ON**  
 46 **STIPULATION FOR INDICATIVE**  
 47 **RULING**

48 Judge: Hon. Rita F. Lin

49 Ctrm: 15, 18th Floor

**[PROPOSED] ORDER**

Upon consideration of the parties' jointly submitted Stipulation and [Proposed] Order for Indicative Ruling, the parties' Stipulation is granted. Defendants have stated that they would seek dismissal of their appeal of the Order Granting Preliminary Injunction, ECF Nos. 90 and 91 (*see* ECF No. 106), if this Court indicated that it would modify paragraphs 2, 3, and 4 of its preliminary injunction in accordance with the parties' Stipulation. The Court anticipates that it would modify the preliminary injunction if the Ninth Circuit remands this action for that purpose. Specifically, the Court would strike paragraph 4 and would modify paragraphs 2 and 3 the Preliminary Injunction Order (ECF No. 91), as follows:

2. Defendants are **ENJOINED** and/or **STAYED** from seeking payments of or imposing penalties or fines or any other monies from the UC or any of its campuses or affiliated medical centers in connection with any civil rights investigation under Title VI, VII, or IX or violations of Title VI, VII, and IX. This provision does not prohibit the voluntary resolution of civil rights investigations and litigations with respect to UC under Titles VI, VII, or IX so long as Defendants comply with all relevant procedural and substantive requirements under those statutes in initiating civil rights investigations and in procuring voluntary compliance, and seek only those remedies that are consistent with these civil rights laws.

3. Defendants are **ENJOINED** and/or **STAYED** from violating the First Amendment or Tenth Amendment by refusing to grant, non-renewing, withholding, freezing, suspending, terminating, conditioning, or otherwise restricting use of federal funds to the UC, or threatening to do so, to coerce the UC to agree to any of the terms contained in the August 8, 2025 settlement offer, or substantially similar terms, or pursuant to the “Task Force Policy,” as defined on page 10 of the Court’s memorandum and order, ECF No. 90.<sup>1</sup>

<sup>1</sup> That language is as follows: “At stage one, a Task Force Agency announces investigations or planned enforcement actions related to alleged civil rights violations at a school. At stage two, Funding Agencies cancel the school’s federal grants *en masse* without following Title VI and IX procedural requirements or limiting the scope of the terminations to non-compliant programs. At stage three, DOJ demands the payment of millions or billions of dollars—a penalty that Title VI and IX do not authorize—and requires a wide range of policy changes as a condition for restoring funding and avoiding further funding disruptions.”

1 IT IS SO ORDERED.  
2  
3 DATED: February 6, 2026



4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

HON. RITA F. LIN  
United States District Judge