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6  
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA

8 COUNTY OF ORANGE

9 THE REGENTS OF THE UNIVERSITY OF  
10 CALIFORNIA,

11 *Plaintiff,*

12 v.

13 INTERNATIONAL UNION, UNITED  
14 AUTOMOBILE, AEROSPACE AND  
15 AGRICULTURAL IMPLEMENT WORKERS OF  
16 AMERICA, AFL-CIO, LOCAL UNION 4811; and  
DOES 1 through 30, inclusive,

17 *Defendants.*

Case No. 30-2024-01403666-CU-MC-CXC

**PROPOSED *AMICUS CURIAE*  
DANIEL SOLOMON'S *EX PARTE*  
APPLICATION FOR LEAVE TO FILE  
*AMICUS* BRIEF IN SUPPORT OF  
GRANTING PRELIMINARY INJUNCTION**

Ex Parte Hearing Date: June 14, 2024

Time: 1:30 p.m.

Dept.: CX105

Judge: Hon. Randall J. Sherman

Preliminary Injunction Hearing Date

Date: June 27, 2024

Time: 10:00 a.m.

Action filed: June 3, 2024

1 Pursuant to Cal. Code Civ. P. § 128 and with reference to Rule of Court 8.200(c), Daniel Solomon  
2 respectfully requests leave to file the accompanying brief as *amicus curiae* in this case in support of granting the  
3 temporary restraining order. A copy of the brief accompanies this application.

4 **The Proposed *Amici Curiae* Brief Would Assist the Court in Deciding this Matter**

5 Pursuant to Rules 8.200 and 8.520(f) of the California Rules of Court, proposed *amicus* Solomon  
6 respectfully submit this application for permission to file an *amici curiae* brief in the present action in support  
7 of Plaintiff's Application for Preliminary Injunction. The California Rules of Court do not specify a procedure  
8 for seeking permission to file an *amicus curiae* brief in Superior Court, so Solomon follows the rules governing  
9 appellate litigation, as Superior Courts have regularly permitted. Court Rule 8.200(c) governs the procedures  
10 for filing an *amicus brief* in appellate court, which requires an application for leave to file such a brief. Trial  
11 courts retains their inherent authority to "provide for the orderly conduct of proceedings before it." Cal. Code  
12 Civ. P. § 128(a)(3); *see also Jeld-Wen, Inc. v. Superior Court*, 146 Cal.App.4th 536, 542 (2007). Several cases  
13 demonstrate that a party should seek permission before filing an *amicus brief* in Superior Court and courts have  
14 indicated that such an application is required. *See, e.g., Ramon v. Cnty of Santa Clara*, 173 Cal.App.4th 915, 922  
15 (2009); *In re Veterans' Indus., Inc.*, 8 Cal.App.3d 902, 924 (1970); *see also McFarland v. City of Sausalito*, 218  
16 Cal.App.3d 909, 912 (1990) (upholding sanctions against dismissed party for continuing to file pleadings in  
17 case after being dismissed and noting that seeking permission to file an *amicus brief* would have been  
18 appropriate). Accordingly, Solomon files this application for leave to file an *amicus brief*.

19 Solomon respectfully contends that his brief would assist the Court in deciding this matter by  
20 expanding on the balance of harms at stake, which extend beyond the University's interests in educating its  
21 students. In particular, the proposed *amici curiae* brief addresses the interests of third-party beneficiaries to the  
22 Union's contracts, especially Jewish students and workers, who have had their speech rights irreparably harmed  
23 by the "Palestinian Solidarity Encampments" that the Union has thrown its bargaining leverage behind. While  
24 the Union portrays the University's belated enforcement of time, place, and manner rules as "unfair labor  
25 practices" that allegedly suppress worker speech, in fact the "Palestinian Solidarity Encampments" themselves  
26 have claimed public property as the exclusive venue of anti-Israel speakers, suppressing the rights of Jewish  
27 and Zionist speakers like Solomon. The public interest would be harmed by the continuance of the defendant  
28 Union's breach of its contracts.

1 Neither party would be prejudiced by this brief. Indeed, a previous version of this *amicus* was served as  
2 an informational brief before PERB, which rejected the filing as premature because the charges had not moved  
3 toward the formal hearing stage.

4 **Interest of the Amici Curiae**

5 The proposed *amicus* is a former member of the union and is a Jewish Ph.D. candidate at the University  
6 of California-Berkeley Center for Jewish Studies. The Hamilton Lincoln Law Institute represents Solomon *pro*  
7 *bono* and is a public interest law firm dedicated to protecting individual liberty and freedom of speech.

8 Solomon is a worker within the ASE (BX) bargaining unit represented by the defendant Union. As  
9 such, he has a different perspective from either the University—which Solomon believes negligently failed to  
10 enforce its own rules in permitting antisemitic encampments that endangered students and staff like him—and  
11 the Union—which has breached its collective bargaining agreements by launching a strike in support of these  
12 dangerous encampments and similar protests. *See, e.g., Schubert v. State Dep’t of Corr. & Rehab.*, 2021 Cal. Super.  
13 LEXIS 26724, \*2 (2021) (granting leave to file *amicus* because of the “new perspective” brought by the briefer).  
14 For these reasons Solomon has a substantial interest in the outcome of this case, with which he can add  
15 substantive value distinct from the Parties. *Cf. Ramon*, 173 Cal.App.4th at 921–22.

16 No party or counsel for a party in the pending case authored the proposed *amicus* brief in whole or in  
17 part or made any monetary or any other contribution intended to assist its preparation or submission. *See* Cal.  
18 Ct. R. 8.200(c)(3).

19  
20 Dated: June 12, 2024

Respectfully submitted,

21 /s/ Neville Hedley

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DANIEL SOLOMON'S IN SUPPORT OF  
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**Dept.:** CX105

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1 **I. Summary of Argument**

2 The UAW local 4811 (the “Union”) has violated its collective bargaining agreements by engaging in a  
3 purely political strike which does not concern genuine labor issues. *Amici* Daniel Solomon agrees with the  
4 Regents of the University of California (“University”) concerning their interpretation of the Union Contracts—  
5 including their unambiguous “no strike” provisions and the lack of “serious” unfair labor practices—so he  
6 does not duplicate those arguments here. Solomon writes separately as a graduate student worker and third-  
7 party beneficiary to the contracts.

8 The Union abused its role as the sole negotiating authority on behalf of covered workers by calling a  
9 strike in support of global political demands which harm many of its own workers. It demanded that the  
10 University system “divest” from “profiting off of the suffering in Gaza” to support the so-called “Palestine  
11 Solidarity Movement.” See *UAW 4811 Demands in Support of the Palestine Solidarity Movement* (“Union Demands”).<sup>1</sup>  
12 But some workers are employed or housed by defense or Israeli grants the Union cavalierly jeopardizes. Even  
13 worse is the Union’s amnesty demand, which endangers Solomon and seeks “amnesty” for *all* University-  
14 affiliated occupiers—not just student workers—who have monopolized public spaces by excluding those with  
15 views they disagree. Solomon himself has been jeered and mobbed simply for crossing through the former  
16 round-the-clock occupation at the heart of UC-Berkeley’s campus.

17 The “Palestinian Solidarity Encampments” that the Union strikes on behalf of endanger Jewish  
18 workers like Solomon and chill his right to speak freely on University campuses. The Union claims that the  
19 University discriminated against “pro-Palestinian speech in the workplace” by clearing some encampments,  
20 UAW Opp. at 40,<sup>2</sup> but the reverse is true. The encampments themselves stifled free speech by seizing public  
21 spaces for exclusive use by anti-Israel activists. The University’s belated enforcement of longstanding time,  
22 place, and manner rules instead allowed *all* speakers to express their views—not just those who agree with  
23 encampment organizers. The encampments excluded (and continue to exclude) dissenting voices with  
24

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25 <sup>1</sup> UAW 4811, *UAW 4811 Demands in Support of the Palestine Solidarity Movement*, [archive.is/EtDqV](https://archive.is/EtDqV) (May  
26 10, 2024 archive), identical to: [archive.is/AG03f](https://archive.is/AG03f) (May 21, 2024 archive). On about May 22, 2024, the Union  
27 restyled its demands—the same demands that leadership promoted and members voted on when authorizing  
28 the strike—as merely a suggestion. “How UC Can Engage with the Broader Protest Movement.”  
[uaw4811.org/how-uc-can-engage-with-the-broader-protest-movement](https://uaw4811.org/how-uc-can-engage-with-the-broader-protest-movement).

<sup>2</sup> ROA 30 (Jun. 6, 2024), Opposition to Petition for Temporary Restraining Order.

1 barricades, “checkpoints,” and self-appointed guards. Solomon was “escorted” out of the encampment at  
2 Berkeley by masked activists because of his Jewish identity. The only “new policy” was the University  
3 *disregarding its own policies* until they became palpably dangerous. Far from being prejudiced, the “Palestinian  
4 Solidarity Encampments” have been uniquely privileged by cowardly and recalcitrant University administrators.  
5 No other speakers were allowed to erect fortifications in public spaces and occupy them for weeks on end.

6 The Union offers a sham “workplace safety” pretext that their strike is *not* purely political, but it  
7 repeatedly admits otherwise. The Union initially titled its demands “UAW 4811 Demands in Support of the  
8 Palestine Solidarity Movement.” *See* Union Demands. The demands are not in support of worker safety or  
9 even (more accurately) immunity from student misconduct citations—the Union strikes instead *in support of a*  
10 *political movement*. The encampments are *not* graduate students’ “workplace.” No worker was stationed, as part  
11 of their duties, at the UCLA encampment at 3am on May 2, when the camp was cleared by police. No student  
12 worker, as part of their duties, was required to ignore multiple warnings to disperse prior to arrest. While  
13 occupiers may have believed (with some reason) that longstanding rules don’t apply to them, the University’s  
14 eventual decision to enforce them does not raise a legitimate student grievance, let alone an unfair labor practice  
15 “severe” enough to excuse the Union’s breach. Even if the encampments *were* workplaces, they pose more risk  
16 of harm to Jewish students like Solomon than University actions to enforce reasonable, content-neutral rules.

17 Solomon has been abandoned by his Union, which has become outright hostile to him through its  
18 fixation of achieving publicity for launching a political strike. In doing so, the Union elected to breach its own  
19 bargaining contracts *and* its duties to workers to pursue political goals unrelated to terms of employment.

## 20 **II. Solomon’s interest in this dispute.**

21 Daniel Solomon is a graduate student-employee who works as a TA in the ASE (BX) bargaining unit.  
22 While Solomon is off for the summer, like most Berkeley students, the Union’s political demands affect him.  
23 “Amnesty” for activists will embolden them to redouble their encampments and other rule-breaking protests.  
24 These protests limit Solomon’s physical access and speech rights on campus, and “amnesty” for misconduct  
25 ensures continued invasion of his rights. This is particularly harmful to Solomon, who is legally blind.

26 This is not merely hypothetical. Solomon was previously impeded from navigating through Sather  
27 Gate, the main entrance to the Berkeley campus, which activists blockaded in early February 2024. Activists  
28 closed the middle passage of the gate completely, wrapping it in yellow “caution” tape, and they singled out

1 perceived Jewish students passing through small side passages for abuse. The blockade only ended after Jewish  
2 students rallied to “liberate” the gate, and faculty shamed Berkeley’s chancellor to post “observers” to ensure  
3 that Jewish students could pass.<sup>3</sup> Solomon, because of his poor eyesight, could not pass the gate at all prior to  
4 its “liberation,” and even after observers allegedly protected it, he found it difficult to navigate until activists  
5 moved their discriminatory activity to the “encampment” at Sproul Plaza. Solomon was also present when a  
6 mob organized by a recognized student organization, “Bears for Palestine,” attacked an event with an Israeli  
7 speaker, spat at attendees, called them “dirty Jews,” and forced police to evacuate the attendees for their safety.<sup>4</sup>  
8 While the administration “denounced” the attack, it hasn’t disciplined the student group or any participants.

9 Berkeley administrators have done precious little to protect Solomon from antisemitic attacks, but the  
10 Union’s demand for blanket “amnesty,” even for non-workers, will only compound the University’s malign  
11 neglect. More generally, if the Union is not enjoined from launching political strikes while bound by no-strike  
12 contracts, this harms Solomon’s academic future. Should the Union strike again for similar political pretexts,  
13 the University will likely respond by curtailing classes, limiting opportunity for graduate workers—whether  
14 they are union members or they participate in the strike. Any Union member activist *for any cause* can get arrested  
15 for trespassing. It would be preposterous to permit unions to violate their contracts whenever this happens.

16 Solomon *supports* organized labor. He joined the Union shortly after orientation in 2021 and became a  
17 dues-paying Union member in 2022 when the University first assigned him TA duties. In November 2022, one  
18 of the antecedent unions, UAW Local 2865, initiated a strike that Solomon supported because graduate  
19 students then earned less than a full-time worker under California’s minimum wage. Solomon believes strikes  
20 are an indispensable tool for workers, but they should only be deployed when in the interests of *all* workers—  
21 not for political demands that harm some workers to benefit third-party political activists. Solomon only  
22 recently resigned his Union membership because the Union breached its duty to advocate for *all* its members.

### 23 **III. Argument**

24 Solomon has no fond feelings toward the University, whose mismanagement of often-nakedly

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25  
26 <sup>3</sup> Emma Goss, *UC Berkeley chancellor to post ‘observers’ at Sather Gate*, JEWISH NEWS OF N. CALIFORNIA  
(Mar. 21, 2024), [jweekly.com/2024/03/21/uc-berkeley-chancellor-to-post-observers-at-sather-gate/](https://www.jweekly.com/2024/03/21/uc-berkeley-chancellor-to-post-observers-at-sather-gate/).

27 <sup>4</sup> AP, *UC Berkeley Officials Denounce Protest That Forced Police to Evacuate Students at Jewish Event on Campus*  
28 (Feb. 28, 2024), <https://www.kqed.org/news/11977500/uc-berkeley-officials-denounce-protest-that-forced-police-evacuation-at-jewish-student-event>.



1 antisemitic pro-Palestine encampments harms students and workers like him. That said, he supports the  
2 injunction as a third-party beneficiary of the Union Contracts. Denial of injunction would cause irreparable  
3 harm to his personal rights at Berkeley and other University campuses, as it would permit the Union to demand  
4 amnesty from activists who misappropriate public spaces and exclude opposing “Zionist” viewpoints.

5 Rather than act as a bulwark against the University’s negligent tolerance of antisemitism, the Union  
6 compounds the problem by steadfastly promoting “anti-Zionist” activism. The Union and its officers  
7 repeatedly referred to Israel’s war in Gaza as “genocide,” Israel as an “apartheid state,” and supported activists  
8 who wish to see the Jewish state of Israel wiped off the map. Of course, the Union has its own speech rights,  
9 but it crosses an important line and breaches its duty to fairly represent all workers when it throws vitally  
10 important tools of concerted action into causes that *harm* many workers. The Union’s strike not only breaches  
11 its University Contracts, but also violates the Union’s duty to fairly represent its workers, including Solomon.

12 **A. Antisemitic climate on University of California campuses.**

13 Several UC campuses rank among the worst worldwide in terms of hostile environments as perceived  
14 by Jewish students.<sup>5</sup> After the Hamas attacks of October 7, 2023, longstanding antisemitism accelerated across  
15 the country, including on UC campuses. Many administrators, including those at Berkeley, have shrugged off  
16 the incidents and dealt gingerly with oft-violent and censorious activists.

17 The University has been particularly deaf to Jewish student concerns. For example, a recently-filed suit  
18 alleges that University and UCLA administrators permitted the UCLA encampment, evocatively and accurately  
19 described as a “Jew Exclusion Zone.” *Attached as Exhibit 1.* And public statements confirm that  
20 encampment organizers themselves sought to—and do—exclude those who might support the existence of  
21 Israel, like Solomon. *Infra* Section III.B.2.

22  
23 <sup>5</sup> See, e.g., Leonard Saxe et al., *Hotspots of Antisemitism and Anti-Israel Sentiment on U.S. Campuses*,  
24 STEINHARD SOC. RESEARCH INSTITUTE 16 (Oct. 2016), [hdl.handle.net/10192/33070](https://hdl.handle.net/10192/33070) (over a third of students  
25 surveyed at four UC campuses perceived a hostile environment toward Jews on their campuses); *The 40 Worst*  
26 *Colleges for Jewish Students*, 2017, THE ALGEMEINER (2017), [www.algemeiner.com/list/the-40-worst-colleges-](http://www.algemeiner.com/list/the-40-worst-colleges-for-jewish-students-2017/)  
27 [for-jewish-students-2017/](http://www.algemeiner.com/list/the-40-worst-colleges-for-jewish-students-2017/) (ranking UC Berkeley as 5th in its list of worst colleges for Jewish students, UCI  
28 10th, UCLA 22nd, UC-Davis 24th, UCSC 25th, UCSD 34th, and UCSB 38th); Graham Wright et al., *In the*  
*Shadow of War: Hotspots of Antisemitism on U.S. College Campuses*, MAURICE AND MARILYN COHEN CENTER FOR  
MODERN JEWISH STUDIES 8 (Dec. 14, 2023), [scholarworks.brandeis.edu/esploro/outputs](https://scholarworks.brandeis.edu/esploro/outputs/report/9924312184701921)  
[/report/9924312184701921](https://scholarworks.brandeis.edu/esploro/outputs/report/9924312184701921) (placing UC Berkeley, UCLA, and UC-San Diego in the “highest antisemitic  
hostility” category, representing the highest quartile of institutions surveyed).

1           **B.     The Union’s advocacy against “Zionism.”**

2           The Union should be *helping* Jewish workers lacking University support. Instead, the Union and its  
3 representatives repeatedly claim Israel is an “apartheid” state committing “genocide.”<sup>6</sup> This alienates Jewish  
4 workers, who support the existence of Israel and find exclusionary protests against “Zionists” disturbing.

5           Less than a month after October 7, antecedent UAW Local 2865 posted a statement from its board  
6 calling for the “immediate de-escalation and the dismantling of the occupation and apartheid system in Israel-  
7 Palestine.” Nov. 4 Statement.<sup>7</sup> It read that “conscience demands that we say clearly: our hearts break for the  
8 Israeli families,” and “only break further as these **deaths are now used to justify the siege, bombardment,**  
9 **forced transfer, and impending genocide of two million Palestinians in Gaza,** over half of them  
10 children.” *Id.* (emphasis added). An open letter circulated in response, arguing the “foremost problem” with  
11 the statement was the “lack of mention and condemnation of Hamas, a terror organization” which “brutally  
12 violated a ceasefire with Israel” and “murder[ed] over 1,300 people and commit[ed] crimes against humanity.”  
13 The response continued that “[m]any institutions, including Amnesty International, have called for a ceasefire  
14 while condemning Hamas – we urge you to join them....”<sup>8</sup> The Union declined to respond, and the statement  
15 regarding “impending genocide” remains on Local 2865’s website. However, Alexander Rudenshiold, one of  
16 the Union’s head ASE stewards for UC-Irvine labelled it a “weird genocide-apologia open letter” and

17 \_\_\_\_\_  
18           <sup>6</sup> “Apartheid”: @uawuci (Dec. 4 – Oct. 20, 2023) [x.com/uawuci/status/1731890254922338441](https://x.com/uawuci/status/1731890254922338441);  
19 [x.com/uawuci/status/1730627247416242499](https://x.com/uawuci/status/1730627247416242499); [x.com/uawuci/status/1715758148227666172](https://x.com/uawuci/status/1715758148227666172);  
20 [x.com/uawuci/status/1715378927877722273](https://x.com/uawuci/status/1715378927877722273); [x.com/uawuci/status/1713372225196466656](https://x.com/uawuci/status/1713372225196466656); @UAW5810  
21 (Nov. 21, 2023) [x.com/UAW5810/status/1727036610611458199](https://x.com/UAW5810/status/1727036610611458199); @uaw\_4811 (Nov. 21, 2023)  
22 [x.com/uaw\\_4811/status/1727012312605966385](https://x.com/uaw_4811/status/1727012312605966385). “Genocide”: Answer Coalition, *Labor Union Leaders Say: End*  
23 *the War on Gaza, Cut All Aid to Israel!* [www.answercoalition.org/labor\\_leaders\\_palestine](http://www.answercoalition.org/labor_leaders_palestine) (statement referring to  
24 “genocidal massacre being perpetuated by Israel” signed by UAW 2865 and UAW 5810 presidents and  
25 promoted on Union social media on November 7, 2023); Instagram posts by: @uaw\_4811 (Apr. 25 – May 6,  
26 2024), [instagram.com/p/C6MYpN3voyf/?img\\_index=2](https://instagram.com/p/C6MYpN3voyf/?img_index=2); [instagram.com/p/C6MZtLUPIA4/?img\\_index=4](https://instagram.com/p/C6MZtLUPIA4/?img_index=4);  
27 [instagram.com/p/C6ogxgNOs39/?img\\_index=2](https://instagram.com/p/C6ogxgNOs39/?img_index=2). This brief cites social media posts liable to be deleted by the  
28 poster. The undersigned has prepared archives of all of these citations should they disappear, but for concision  
has not generally included parallel archive links in this brief except as necessary to access the content.

25           <sup>7</sup> UAW2865, *UAW 2865 Calls on California Leaders to Demand a Ceasefire and an End to the Occupation of*  
*Palestine*, available at: <https://uaw2865.org/ceasefirenow/>.

26           <sup>8</sup> Taking Action in Academia, *Subject: An Urgent Call for Revision of UAW 2865 & UAW 5810 Statements*  
*on Recent Events in Gaza*, available at: [takingactionacademia.org/](http://takingactionacademia.org/). The open letter cited Amnesty International,  
27 *Israel: Palestinian armed groups must be held accountable for deliberate civilian killings, abductions and indiscriminate attacks*  
28 (Oct. 12, 2023), available at: [https://www.amnesty.org/en/latest/news/2023/10/israel-palestinian-armed-](https://www.amnesty.org/en/latest/news/2023/10/israel-palestinian-armed-groups-must-be-held-accountable-for-deliberate-civilian-killings-abductions-and-indiscriminate-attacks/)  
[groups-must-be-held-accountable-for-deliberate-civilian-killings-abductions-and-indiscriminate-attacks/](https://www.amnesty.org/en/latest/news/2023/10/israel-palestinian-armed-groups-must-be-held-accountable-for-deliberate-civilian-killings-abductions-and-indiscriminate-attacks/).

1 highlighted the demand for the Union to condemn Hamas as “especially deranged!” He went on to opine that  
2 one “can’t expect ‘liberal’ zionists to recognize the humanity of Palestinians when they can’t even muster a  
3 performance of empathy for the people they’re actively caping for genocide on behalf of!”<sup>9</sup>

4 Pro-Palestine activists and Union officers sometimes derisively refer to “Zionists,” often used as a  
5 hateful substitute for “Jews” or “Israelis.”<sup>10</sup> To the extent that Union speakers mean “Zionist” per the term’s  
6 ordinary meaning—“someone who belongs to or supports a political movement that had as its original aim  
7 the creation of a country for Jewish people, and that now supports the state of Israel,” Cambridge Dictionary—  
8 then the distinction makes little difference because most Jews *are* “Zionists” in this sense: they support the  
9 existence of a Jewish state in Israel. While activists sometimes claim they only mean “Zionist” in the sense of  
10 “the ideology that supports the occupation and the subjugation of Palestinians in their indigenous land,” these  
11 same activists undermine that definition because they smear organizations like Hillel International—a Jewish  
12 campus life organization—as among those “Zionist” groups that the University must boycott.<sup>11</sup>

13 In other communications from Union social media accounts, the Union and its affiliates post photos  
14 from rallies with union banners reading “Unity Confronting Zionism,” with the image of a fist grabbing a  
15 snake’s tongue.<sup>12</sup> Perhaps not uncoincidentally, the same banner illustrated an op-ed written by UC-Berkeley  
16 Law Dean Erwin Chemerinsky who wrote in October, “never in my life have I seen or felt the antisemitism  
17 of the last few weeks.”<sup>13</sup> And another photo posted by the Union from the same rally included a sign that reads  
18 “Labor Says No! To Genocide Joe!”<sup>14</sup> The Union also highlighted an event it encouraged members to attend  
19 an event where activists blocked traffic at Oakland intersections near the Federal Courthouse in putative  
20 support of Palestine. The protest was inspired by a lawsuit attempting to enjoin President Biden’s foreign  
21

22 <sup>9</sup> @rudenshiold (Jan. 4), [x.com/rudenshiold/status/1743103979025010879](https://x.com/rudenshiold/status/1743103979025010879).

23 <sup>10</sup> Naomi Nix and Elizabeth Dwoskin, THE WASHINGTON POST, *Inside Meta, a debate over when the word*  
*‘Zionist’ is hate speech* (Feb. 9, 2024): [washingtonpost.com/technology/2024/02/09/meta-zionist-hate-speech/](https://www.washingtonpost.com/technology/2024/02/09/meta-zionist-hate-speech/).

24 <sup>11</sup> Linda Dayan, *‘Starve the War Machine’: Workers at UC Santa Cruz Strike in Solidarity With pro-Palestinian*  
*Protesters*, HAARETZ (May 21, 2024), <https://archive.is/nQocI> (archive).

25 <sup>12</sup> @uaw\_4811 and @ uaw5810, [www.instagram.com/p/C3RM0Bvpj0D/?img\\_index=7](https://www.instagram.com/p/C3RM0Bvpj0D/?img_index=7).

26 <sup>13</sup> Erwin Chemerinsky, *Opinion: Nothing has prepared me for the antisemitism I see on college campuses now*, LOS  
27 ANGELES TIMES (Oct. 29, 2023), [https://www.latimes.com/opinion/story/2023-10-29/antisemitism-college-  
28 campus-israel-hamas-palestine](https://www.latimes.com/opinion/story/2023-10-29/antisemitism-college-campus-israel-hamas-palestine).

<sup>14</sup> @uaw\_4811 and @ uaw5810, [www.instagram.com/p/C3RM0Bvpj0D/?img\\_index=8](https://www.instagram.com/p/C3RM0Bvpj0D/?img_index=8).

1 policy, as expressed by a block-long street drawing written by the protestors: “Biden: Complicit in Genocide.”<sup>15</sup>  
2 Statements of Union officers reflect similar animus. ASE Statewide Chair Tanzil Chowdhury (then an  
3 organizer) apparently joked about the destruction of Israel, when he wrote on May 11, 2021 “i am praying for  
4 one very specific thing about israel, that’s for sure.”<sup>16</sup> Alexander Rudenshiold labelled as “apartheid apologia”  
5 UC-Irvine Chancellor Howard Gillman’s condemnation of Hamas’s mass rape and murder.<sup>17</sup> Ten days later,  
6 the Twitter account for the antecedent union’s UCI chapter condemned the Chancellor’s message about  
7 “Israeli apartheid” as “deeply offensive.”<sup>18</sup> Following the Union’s vote for ceasefire, Rudenshiold wrote “proud  
8 to have voted yes! the work will continue! 🇪🇺 from the river to the sea!”<sup>19</sup> The “river and the sea” are the Jordan  
9 River and Mediterranean Sea. If all this land belonged to a Palestinian state (as suggested by the flag character),  
10 it would eliminate Israel.<sup>20</sup>

11 Several chapters of the Union passed resolutions calling for a ceasefire shortly after October 7. On  
12 December 14, the antecedent unions issued another joint statement calling for “an immediate ceasefire and an  
13 end to US funding of the Israeli apartheid regime.”<sup>21</sup> On January 31, the antecedent unions’ Berkeley chapters  
14 adopted a resolution supporting “Boycott, Divestment, and Sanctions” against Israel by the University.<sup>22</sup> The  
15

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16 <sup>15</sup> @uaw\_4811, (Jan. 26, 2024) [www.instagram.com/p/C2lCbhRysCI/](https://www.instagram.com/p/C2lCbhRysCI/); Henry Lee, KTVU, *It's*  
17 *genocide': Protesters in Oakland rail against Biden administration, call for ceasefire* (Jan. 26, 2024)  
[www.ktvu.com/news/its-genocide-protesters-rail-against-biden-administration-call-for-ceasefire-in-oakland](https://www.ktvu.com/news/its-genocide-protesters-rail-against-biden-administration-call-for-ceasefire-in-oakland).

18 <sup>16</sup> @only\_tanz (May 11, 2021), [twitter.com/only\\_tanz/status/1392030054306127873](https://twitter.com/only_tanz/status/1392030054306127873).

19 <sup>17</sup> @rudenshiold (Oct. 10, 2023), [twitter.com/rudenshiold/status/1711886366714544191](https://twitter.com/rudenshiold/status/1711886366714544191).

20 <sup>18</sup> @uawuci (Oct. 20, 2023), [twitter.com/uawuci/status/1715378927877722273](https://twitter.com/uawuci/status/1715378927877722273).

21 <sup>19</sup> @rudenshiold (Jan. 10, 2023), [twitter.com/rudenshiold/status/1745204046858957054](https://twitter.com/rudenshiold/status/1745204046858957054).

22 <sup>20</sup> The U.S. House resolved that this phrase “is outrightly antisemitic and must be strongly condemned”  
23 by a 377-to-44 vote. *See* Clerk of the United States House of Representatives, Roll Call 134, Bill Number: H.  
24 Res. 883, <https://clerk.house.gov/Votes/2024134>. The Anti-Defamation League calls it a “hateful phrase,”  
25 which makes “members of the Jewish and pro-Israel community feel unsafe and ostracized.” Anti-Defamation  
26 Legue, *Slogan: “From the River to the Sea Palestine Will be Free”* (Oct. 26, 2023), available at:  
<https://www.adl.org/resources/backgrounders/slogan-river-sea-palestine-will-be-free>.

27 <sup>21</sup> UAW Local 5810, *UAW 2865 & UAW 5810 Statement on Palestine* (Dec. 14, 2023),  
<https://uaw5810.org/2023/12/14/uaw-2865-uaw-5810-statement-on-palestine/>.

28 <sup>22</sup> Labor for Palestine, *Resolution: Committing to a Labor Strategy towards Boycott, Divestment and Sanctions at*  
*the University of California (UAW 2865 and 5810 Berkeley)*, [laborforpalestine.net/2024/01/31/resolution-](https://laborforpalestine.net/2024/01/31/resolution-committing-to-a-labor-strategy-towards-boycott-divestment-and-sanctions-at-the-university-of-california-uaw-2865-and-5810-berkeley/)  
[committing-to-a-labor-strategy-towards-boycott-divestment-and-sanctions-at-the-university-of-california-](https://laborforpalestine.net/2024/01/31/resolution-committing-to-a-labor-strategy-towards-boycott-divestment-and-sanctions-at-the-university-of-california-uaw-2865-and-5810-berkeley/)  
[uaw-2865-and-5810-berkeley/](https://laborforpalestine.net/2024/01/31/resolution-committing-to-a-labor-strategy-towards-boycott-divestment-and-sanctions-at-the-university-of-california-uaw-2865-and-5810-berkeley/).

1 Union apparently made no effort to pursue BDS demands with the University through grievances, mediation,  
2 or arbitration—only through strike, months later.

3 **1. Palestine encampments and the Union’s political support for them.**

4 Since the October 7 attack, student activists have ramped up their protests throughout the UC system.  
5 Solomon was victimized by activists several times in early 2024. *Supra* II. Activists focused on “Palestine  
6 Solidarity Encampments” after the first was established on April 17 at Columbia University in New York City.

7 **a. The short, violent history of the (first) UCLA encampment.**

8 Activists erected about 30 tents to establish the UCLA encampment on Thursday April 25 at the Royce  
9 Quad. *See Mercury-News* Timeline.<sup>23</sup> Immediately, Jewish students reported “feeling unsafe on campus” and  
10 expressed “discomfort with protest chants such as ‘from the river to the sea’ and ‘intifada, intifada,’ which they  
11 interpret as a call to wipe out the Jewish population in Israel.” *Id.* UCLA administrators permitted the growing  
12 encampment, *id.*, while antisemitic signs and graffiti proliferated throughout it. Ex. 1 ¶¶ 97-107.

13 The Union posted its first “update” to its newly-established website for the amalgamated UAW Local  
14 4811, likely around April 25: “Solidarity with University Encampments Across the Country.” The message,  
15 signed “UAW 4811 Executive Board” read in part:

16 As the largest union of academic workers in the country, we stand in solidarity  
17 with students around the nation exercising their right to protest the ongoing  
18 war on Gaza by Israeli forces. We condemn the use of violent force against  
19 peaceful protestors at Yale, Columbia, NYU, USC, UT Austin and other  
institutions demanding that their administrations divest from companies  
profiting from the war on Gaza. ...<sup>24</sup>

20 On Sunday, April 28, a pro-Israel counterprotest prompted the UCLA administration to set up metal  
21 barriers to separate the two groups but they were breached, enabling several physical confrontations. *Id.* During  
22 one confrontation, a young Jewish student was physically assaulted and knocked unconscious. An *LA Times*  
23 investigation into the subsequent violence that night called the video a “flash point,” which was spread widely  
24

25 <sup>23</sup> Clara Harter, *Here’s what happened at UCLA before pro-Israel counterprotesters attacked pro-Palestinian*  
26 *protesters*, THE MERCURY NEWS (May 2, 2024); [www.mercurynews.com/2024/05/02/tick-tock-to-chaos-a-timeline-of-escalating-tensions-at-ucla/](https://www.mercurynews.com/2024/05/02/tick-tock-to-chaos-a-timeline-of-escalating-tensions-at-ucla/).

27 <sup>24</sup> UAW Local 4811, *Solidarity with University Encampments Across the Country*,  
28 [www.uaw4811.org/updates/blog-post-title-one-7wkrf](https://www.uaw4811.org/updates/blog-post-title-one-7wkrf). The union posted a similar Twitter thread, without  
linking the post, on April 25. @uaw\_4811, [x.com/uaw\\_4811/status/1783567794484965824](https://x.com/uaw_4811/status/1783567794484965824).

1 on social media and messaging apps.<sup>25</sup> The student, named Eleanor, later recounted what she could recall of  
2 the assault and indicated that she had been peacefully protesting to support Israel.<sup>26</sup>

3 On Tuesday April 30, Vice Chancellor Mary Osako issued a  
4 statement that UCLA was investigating allegations that the protestors  
5 had blocked students' access to classes and condemned such actions.  
6 *Mercury-News* Timeline. That afternoon, UCLA issued a notice that the  
7 encampment was unlawful and violated school policy and requested  
8 that students vacate the encampment or risk disciplinary action. *Id.*  
9 The pro-Palestinian protestors responded with a statement reiterating  
10 their intent to remain and criticizing the UCLA administration for not  
11 providing sufficient protection against counter-protestors. *Mercury-*  
12 *News* Timeline. Occupiers constructed barricades and checkpoints  
13 around the encampment, requiring wristbands for entry to verify all  
14 activists were anti-Zionist. Ex. 1 ¶¶ 108-13; see also fn.41, *infra*.

15 The night of April 30 into the early morning hours of May 1,  
16 large groups of counter-protestors descended upon Royce Quad and  
17 attempted to dismantle the barricades of the encampment starting at  
18 about 10:50 pm. *See NYT*.<sup>27</sup> Counter-protestors hurled fireworks and mace-like chemicals into the  
19 encampment and at activists. *Id.* Chancellor Gene Block issued a statement condemning the violence and  
20 noting that “these incidents have put many on our campus, especially our Jewish students, in a state of anxiety  
21 and fear.” *Id.*

22 Police arrived at UCLA’s campus in force the next evening, Wednesday May 1, and were met by

23  
24 <sup>25</sup> Matthew Ormseth, et al., ‘*Shut it down!*’ How group chats, rumors and fear sparked a night of violence at UCLA, *LA Times* (May 10, 2024), [www.latimes.com/california/story/2024-05-10/how-social-media-rumors-sparked-a-night-of-mayhem-at-ucla](http://www.latimes.com/california/story/2024-05-10/how-social-media-rumors-sparked-a-night-of-mayhem-at-ucla), archived at [archive.is/qeYPC](http://archive.is/qeYPC).

25  
26 <sup>26</sup> *Jewish student recounts injury during UCLA protest*, NBC LOS ANGELES (May 1, 2024), [www.nbclosangeles.com/on-air/jewish-student-recounts-injury-during-ucla-protest/3402539/](http://www.nbclosangeles.com/on-air/jewish-student-recounts-injury-during-ucla-protest/3402539/).

27  
28 <sup>27</sup> Neil Bedi, Bora Erden, Marco Hernandez, Ishaan Jhaveri, Arijeta Lajka, Natalie Reneau, Helmuth Rosales and Aric Toler, *How Counterprotesters at U.C.L.A. Provoked Violence, Unchecked for Hours*, NEW YORK TIMES (May 3, 2024), [nytimes.com/interactive/2024/05/03/us/ucla-protests-encampment-violence.html](https://www.nytimes.com/interactive/2024/05/03/us/ucla-protests-encampment-violence.html).

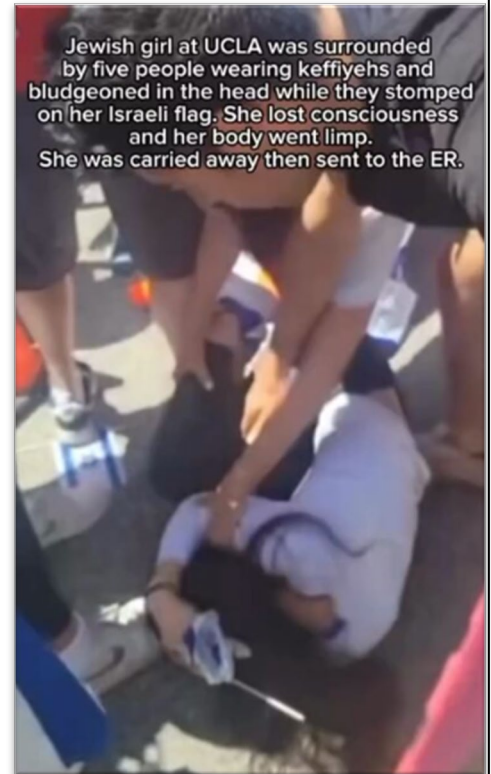


Figure 1: Viral video posted April 30, which became a “flash point” for violence later that night.

1 protestors lined up arm-in-arm to shield them from the encampment.<sup>28</sup> Early on May 2, riot police moved in  
2 and issued an order to disperse. *Mercury-News* Timeline. Over 200 individuals were arrested. *Id.* Chancellor  
3 Block issued a statement that UCLA allowed the encampment “to remain in place so long as it did not  
4 jeopardize Bruins’ safety or harm our ability to carry out our mission.” *Mercury-News* Timeline. But Block  
5 clarified that once the encampment became a focal point for violence and disruption to normal campus life, it  
6 had to be removed. *Id.*

7 **b. The UCSD encampment also allegedly inspired the strike.**

8 On May 1, students belonging to Students for Justice in Palestine erected a “Gaza Solidarity  
9 Encampment” outside the UCSD Student Health and Wellness Center. *See* UCSD Encampment Summary.<sup>29</sup>  
10 According to the administration, officials received feedback “that the encampment was everything from a  
11 minor nuisance to outright terrifying.” *Id.* On May 4, the camp—while roughly tripling in size—“added an  
12 entry table and implemented an admission procedure, involving use of an encrypted messaging app and wrist  
13 stamp that restricted access.” *Id.* Activists denied entry to a fire marshal and health inspectors, driving back the  
14 inspectors at “camp speaker’s” instruction. *Id.* The administration noted that “members of the Black Panthers,  
15 Antifa, and the Communist Revolutionary Group arrived at the camp site, provided perimeter security ... and  
16 trained the camp participants in physical techniques to resist arrest.” *Id.* A student newspapers disagreed with  
17 this characterization, writing that “Black Panthers only announced a ‘self-defense lesson.’” *Triton*.<sup>30</sup>

18 Encampment organizers posted a statement arguing that the camp was “too small to protest safely” in  
19 view of “threats of arrest, suspension, physical harm.” *UCSD Guardian*.<sup>31</sup> So the UCSD camp expanded.

20 After a combative confrontation at a counter-protest on Sunday May 5, administrators determined that  
21 inaction “was unconscionable.” UCSD Encampment Summary. At 2:45 pm, the UCSD Chancellor issued an  
22 all-community message stating that the “unlawful encampment” had “become dangerous,” that commitments  
23

24 <sup>28</sup> Matthew Ormseth, et al., *UCLA struggles to recover after 200 arrested, pro-Palestinian camp torn down*, LOS  
25 ANGELES TIMES (May 3, 2024), [www.latimes.com/california/story/2024-05-01/la-me-ucla-camp-police](http://www.latimes.com/california/story/2024-05-01/la-me-ucla-camp-police).

26 <sup>29</sup> [triton.news/wp-content/uploads/2024/05/UC-San-Diego-Fact-Sheet-Re-Encampment.pdf](http://triton.news/wp-content/uploads/2024/05/UC-San-Diego-Fact-Sheet-Re-Encampment.pdf).

27 <sup>30</sup> *Live Updates: Community Reacts to Encampment Clearing, Release of 64 Arrestees*, THE TRITON (May 1-10,  
2024), [triton.news/2024/05/live-updates-students-establish-gaza-solidarity-encampment-along-library-walk/](http://triton.news/2024/05/live-updates-students-establish-gaza-solidarity-encampment-along-library-walk/).

28 <sup>31</sup> Guardian staff, *Updates—Police sweep UCSD Solidarity for Gaza Encampment*, THE GUARDIAN (May 6,  
2024), [www.ucsdguardian.org/2024/05/06/daily-updates-ucsd-solidarity-for-gaza-encampment/](http://www.ucsdguardian.org/2024/05/06/daily-updates-ucsd-solidarity-for-gaza-encampment/).

1 to “not to increase the size of the area” had not been honored, and calling on “our students, faculty, staff and  
2 non-affiliates participating in the encampment to peacefully disperse.”<sup>32</sup>

3 On the morning of May 6, the UCSD administration invited several police departments to disperse the  
4 encampment. “As law enforcement arrived, one occupier ran into the camp and woke up everyone there.  
5 Individuals in the camp donned “hard hats, goggles, pepper spray and bear spray, and positioned metal and  
6 plywood shields to resist arrest.” UCSD Encampment Summary. At 6AM, SJP posted that the “UCSD  
7 encampment is facing police presence on its campus for a sweep. We are calling on the community to show  
8 up immediately to protect the students.” *Triton*. Four loudspeaker announcements, five minutes apart, ordered  
9 “participants to leave the area without consequences,” and some did. *Id.*

10 The perimeter barricade was removed, and 64 participants arrested. *Id.* Detainees were processed at  
11 the nearby Price Center, where activists “attempted to break into the Price Center through doors and windows”  
12 and “lunged at police officers, grabbed their batons, and used barricades to force  
13 officers around streets and into buildings.” UCSD Encampment Summary.  
14 Police retreated to the Structural and Engineering Building and closed the doors,  
15 but shortly thereafter, a mob of protestors forced the doors open, flooded into  
16 the building and then crossed over to an amphitheater building. *UCSD Guardian*.  
17 Late in the morning, the police formed a blockade, but protestors continued to  
18 press forward and surround the police who held the protestors at bay. *UCSD*  
19 *Guardian*. Despite numerous warnings to abandon the camp, the cleanup crews  
20 found “a sword, propane tanks and grill, pepper spray and bear spray, metal and  
21 plywood shield, mallets, wooden stakes, etc.” UCSD Encampment Summary.

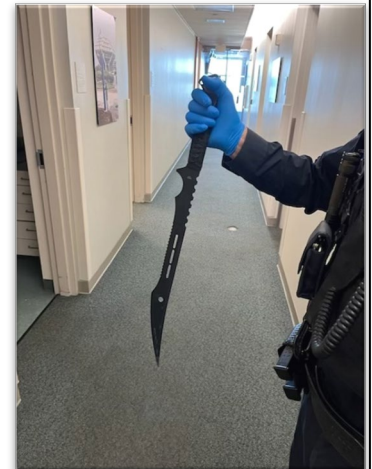


Figure 2: Ninja-style sword recovered from UCSD "Palestine Solidarity Encampment" (*Triton*)

22 No coverage of the encampments suggests that union or workplace conditions motivated either  
23 activists in constructing the encampments *or* the University in clearing them prior to the strike vote.

## 24 **2. The Union’s avowedly political strike authorization vote.**

25 The Union claims that “[a] strike or work stoppage was not under consideration before the night of  
26 April 30, 2024.” UAW Opp. at 10. It suggests that it was prompted by the late-night attack by counter-

27  
28 <sup>32</sup> UC San Diego, *A Message from Chancellor Pradeep K. Khosla* (May 5, 2024),  
<https://adminrecords.ucsd.edu/Notices/2024/2024-5-5-1.html>.



1 protesters at UCLA. Nonsense. In fact, Rebecca Gross, ASE (BX) Unit Chair at UC Santa Cruz, held meetings  
2 starting five days earlier to plan a one-day “strike for Palestine.”<sup>33</sup> This wildcat strike was announced via email  
3 on April 30 *before* the violence at the UCLA camp was known, along with plans for further meetings to discuss  
4 strike demands “in solidarity with” Palestinian activists. Menezes Decl., Ex. A at 2. The University contacted  
5 the Union about this breach, and in response the then-Union president replied on May 1 that “[t]he Union is  
6 in touch with members that **we know are engaged in activity that may be in violation** of the contract and  
7 are informing them of their obligations under the CBA.” *Id* at 3. Instead, hours later, the Union’s executive  
8 board—then standing for re-election against members who likewise previously endorsed a political strike for  
9 Palestine<sup>34</sup>—announced that they would hold a strike authorization vote allegedly “in response to last night’s  
10 attacks at UCLA.”<sup>35</sup>

11 The Union did not hide its political aims. On May 7, the Union established a “Union Village” at UC  
12 Berkeley’s former “Free Palestine Encampment.”<sup>36</sup> In a speech announcing the Union’s installation, ASE  
13 Statewide Chair Tanzil Chowdhury said that “UC is so committed to its investment, apartheid Israel so  
14 committed to supporting the genocide on the Palestinian people, that they would rather attack their own  
15 students and workers than de-escalate, negotiate, and divest.”<sup>37</sup>

16 Activists’ response to the Union’s strike authorization vote illustrates the illiberal, exclusionary nature  
17 of the encampments that it struck to support. The Union posted a series of videos by members and why they  
18 supported a strike. One video attracted more attention on Twitter than any other: a May 12 video statement  
19 by a self-described Israeli and Israel Defense Forces veteran who said he returned to from his “apartheid”  
20

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21 <sup>33</sup> @Becsgross, (May 1, 2024), [x.com/Becsgross/status/1785697219351564707](https://x.com/Becsgross/status/1785697219351564707); see also the thread  
22 concerning these meetings collected at: [threadreaderapp.com/thread/1785695305503281512.html](https://threadreaderapp.com/thread/1785695305503281512.html).

23 <sup>34</sup> The primary opposition to the Union’s board came from “reform” slates headlined by statewide  
24 president candidate Raj Chaklashiya, who listed “Palestinian Liberation” and “Strike for UC Divestment” as  
signature planks. @RajChaklashiya (Apr. 26, 2024) [x.com/RajChaklashiya/status/1783930179624309171](https://x.com/RajChaklashiya/status/1783930179624309171).

25 <sup>35</sup> @uaw\_4811 (May 1, 2024), [x.com/uaw\\_4811/status/1785775174232801533](https://x.com/uaw_4811/status/1785775174232801533).

26 <sup>36</sup> Riley Cooke, *UAW workers establish ‘Union Village’ as hundreds rally for Rafah on Sproul*, THE DAILY  
27 CALIFORNIAN (May 7, 2024) [https://www.dailycal.org/news/campus/student-life/uaw-workers-establish-  
union-village-as-hundreds-rally-for-rafaq-on-sproul/article\\_e23177f6-0cf8-11ef-9ede-d7857caa73f1.html](https://www.dailycal.org/news/campus/student-life/uaw-workers-establish-union-village-as-hundreds-rally-for-rafaq-on-sproul/article_e23177f6-0cf8-11ef-9ede-d7857caa73f1.html).

28 <sup>37</sup> Free People’s Park!, *UC Berkeley UAW rep. Tanzil Chowdhury speaks at rally for Rafah*, YouTube (May  
7, 2024) at 7:18, [www.youtube.com/watch?v=TfQp-pgkLVs&t=438s](https://www.youtube.com/watch?v=TfQp-pgkLVs&t=438s).

1 “home country” to have his visa renewed and was “heartbroken” because “no one spoke against Israel’s  
2 ongoing war with Gaza.” The video continues that “as an Israeli” the union member “felt welcome safe” in  
3 the UCLA encampment until students were “brutalized by a violent mob and my friends violently arrested.”<sup>38</sup>  
4 Abusive comments in response to the video by pro-Palestine activists tell another story. Dozens of accounts  
5 smeared the union member in the video as a “genocidaire,” “fascist,” “war criminal,” and “baby killer.” A  
6 Union member wrote “it’s a shame that he ever felt safe for one moment at the encampment. Unreal.”<sup>39</sup>

7 A user who claimed to be familiar with the UCLA encampment, assured activists that the video wasn’t  
8 true: “the IOF [*sic*] soldier goes on & on about feeling safe & welcomed, when I know for a fact that is NOT  
9 what happened on the ground.”<sup>40</sup> Rather, organizers issued wristbands and “practiced further exclusivity” and  
10 as a result “Zionist entry became all [b]ut impossible.” The commentator lamented that “UAW is conducting  
11 interviews & prioritizing Zionist opinions, effectively undermining & betraying the principles of the  
12 encampment organizers.”<sup>41</sup>

13 While the Union presents the “Palestine Solidarity Encampments” as inclusive spaces, the activists  
14 who control these encampments exclude individuals based not only on their ideology—which is bad enough  
15 in a public space intended to foster free speech—but also their identity.

16 **C. Palestine encampments created the primary worker safety hazard—not the**  
17 **University’s belated enforcement of its rules.**

18 The Union argues that the main reason for their breach of contract is that the University’s response to  
19 the protests have created a workplace safety issue. But action by pro-Palestinian activists, not the University,  
20 created an unsafe environment—and the strike would exacerbate that unsafe environment even further.

21 On April 28, Solomon videoed the encampment on Sproul Plaza at Berkeley on his way to grade

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23 <sup>38</sup> @uaw\_4811 (May 12, 2024) [twitter.com/uaw\\_4811/status/1789799878685823463](https://twitter.com/uaw_4811/status/1789799878685823463). Incidentally, the  
24 video’s claim that “no one” in Israel opposes the war is peculiarly false. See Wafaa Shurafa and Melanie  
25 Lindman, *Israelis stage largest protest since war began to increase pressure on Netanyahu*, AP (Apr. 1, 2024),  
<https://apnews.com/article/israel-hamas-war-news-03-31-2024-2dfbc154409ae6160b4e594b1b346e13>  
(describing protest of tens of thousands of Israelis who demanded a ceasefire from Israel’s government).

26 <sup>39</sup> Hazel Katz, @dripping\_hazel (May 13, 2024), [archive.is/1anRe](https://archive.is/1anRe) (archive of formerly public tweet  
27 posted at: [twitter.com/dripping\\_hazel/status/1789868838978203650](https://twitter.com/dripping_hazel/status/1789868838978203650)).

28 <sup>40</sup> @akatmolasses (May 13), [twitter.com/akatmolasses/status/1789899611034771959](https://twitter.com/akatmolasses/status/1789899611034771959).

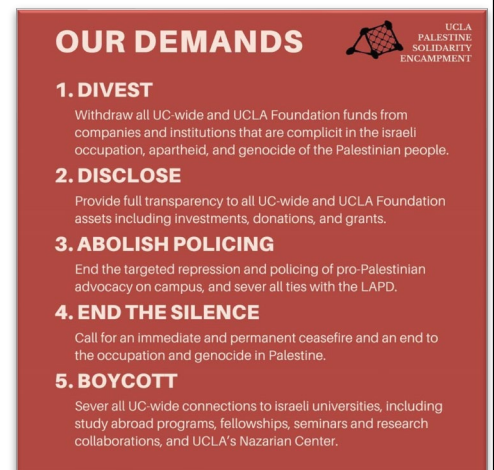
<sup>41</sup> Entire thread collected at: [threadreaderapp.com/thread/1789914330042945993.html](https://threadreaderapp.com/thread/1789914330042945993.html).

1 papers. Masked activists surrounded him and blocked his path and vision by surrounding him with Palestinian  
2 flags, even after he told them he is legally blind. He was told to “go back to Europe, dude” by an activist who  
3 claimed that Europeans “got” the Jews when “they pogromed them.” After darting between tents to evade the  
4 activists, they continued to follow him beyond the encampment, with one activist calling him a “fucking freak,”  
5 possibly because of his noticeable disability. Another activist accused him of being a “pedophile” as he left the  
6 Plaza, while still being followed by masked activists. The next day, a Berkeley law school student named Noah  
7 Cohen was similarly followed out of the encampment by activists, but also faced violence. Cohen was  
8 confronted by a pro-Palestinian protestor named “Jay” who followed him and hit him in the face. The incident  
9 was captured on video, posted to social media, and was reported in the New York Post.<sup>42</sup>

10 On May 1, three people were injured on Sproul Plaza in a confrontation at the encampment. An  
11 Instagram post by Students Supporting Israel contains a video that shows an individual assaulting a peaceful  
12 pro-Israel protestor and attempting to steal an Israeli flag, while another pro-Palestinian protestor punched  
13 another SSI member in the head three times. Other protestors are heard yelling antisemitic and anti-immigrant  
14 statements to the counter-protestors such as “Go back to Europe.”<sup>43</sup>

15 The Union argues that the University’s alleged failure to  
16 protect encampments from counter-protestors show discrimination  
17 against pro-Palestinian speech. UAW Opp. 10-11. But these  
18 arguments fail because the encampments declared themselves to be  
19 police-free zones, and restricted entry of people it suspected were  
20 police. Indeed, encampment activists generally demanded removing  
21 police entirely from UC campuses.<sup>44</sup>

22 Thus, the Union’s proffered justification for the strike for



23 *Figure 3: UCLA encampment demands, notably including no labor demands.*

24 <sup>42</sup> Ronny Reyes, *Jewish law student punched in the face after trying to film UC-Berkeley anti-Israel protest*, NEW YORK POST (Apr. 30, 2024); [www.nypost.com/2024/04/30/us-news/jewish-law-student-punched-in-the-face-at-uc-berkeley-video](https://www.nypost.com/2024/04/30/us-news/jewish-law-student-punched-in-the-face-at-uc-berkeley-video).

25 <sup>43</sup> *Fight at UC Berkeley pro-Palestinian encampment leaves several people injured*, CBS BAY CITY NEWS SERVICE (May 2, 2024), [www.cbsnews.com/sanfrancisco/news/fight-at-uc-berkeley-pro-palestinian-encampment-leaves-several-people-injured/](https://www.cbsnews.com/sanfrancisco/news/fight-at-uc-berkeley-pro-palestinian-encampment-leaves-several-people-injured/).

26 <sup>44</sup> See UCLA encampment demands, shown as Figure 3, @PplsCityCouncil (Apr. 30, 2024), [x.com/PplsCityCouncil/status/1785507904415846871/](https://x.com/PplsCityCouncil/status/1785507904415846871/).

1 safety concerns rings hollow. Pro-Palestinian activists and their encampments, rather than University  
2 administrators, created and continue to create safety hazards. Solomon discovered this long ago, but now some  
3 protest-sympathetic campus administrators see it, too.<sup>45</sup>

4 **D. The Union’s political demands breach their duty of good faith in representing all**  
5 **workers, many of which would be harmed by the University’s capitulation to them.**

6 The Union serves as the labor representative of four bargaining units of graduate student employees  
7 and post-doctoral researchers, and is therefore charged with negotiating on behalf of all covered workers—  
8 including non-members like Solomon.

9 But here, the Union advanced nakedly political demands in support of the “Palestine Solidarity  
10 Movement,” as it admits. Union Demands.<sup>46</sup> The Union asserted five demands to the University, which it  
11 promoted to its members in advance of the strike authorization vote:

- 12 a. Amnesty for all academic employees, students, student groups, faculty, and staff who face  
13 disciplinary action or arrest due to protest.
- 14 b. Right to free speech and political expression on campus.
- 15 c. Divestment from UC’s known investments in weapons manufacturers, military contractors,  
16 and companies profiting from Israel’s war on Gaza.
- 17 d. Disclosure of all funding sources and investments, including contracts, grants, gifts, and  
18 investments, though a publicly available accessible, and up-to-date database.
- 19 e. Empower researchers to opt out from funding sources tied to the military or oppression of  
20 Palestinians. The UC must provide centralized transitional funding to workers whose funding  
21 is tied to the military or foundations that support Palestinian oppression.

22 Only one of the listed demands—free speech and political expression—is a legitimate union objective,  
23 and it is ironically the objective which the Palestine encampments flagrantly impede. The Union advocates for  
24 encampments that monopolize public space for the benefit of one viewpoint and excludes people like  
25 Solomon—its invocation of HEERA’s support for the “the free exchange of ideas” implies the reverse of what  
26 it claims. *See* UAW Opp. at 34. Pro-Palestinian activists remain free to speak and protest in every place that  
27 other speakers can; but they can’t pitch tents and improvise barricades to seize public spaces for themselves.

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28 <sup>45</sup> Declaration of Dr. Allison Sutterland ¶¶ 7-8 (May 22, 2024); Declaration of Darnell Hunt ¶ 6 (May  
29 22, 2024); Declaration of Hal Stern ¶ 5 (May 22, 2024).

<sup>46</sup> Archived at: [archive.is/EtDqV](https://archive.is/EtDqV), see note 1, supra.

1 *Cf. Clark v. Cmty. for Creative Non-Violence*, 468 U.S. 288 (1984) (rule against camping is reasonable time, place  
2 and manner restriction). In fact, the *only* place that the free of exchange of ideas has been stifled was *within*  
3 “Palestinian Solidarity Encampments.” Solomon has no objection to peaceful protestors showing support for  
4 the Palestinian cause. Even those advocating in favor of Hamas, as distasteful as that is to him, have equal free  
5 speech rights. But neither the Union nor activists genuinely support free speech. The free exchange of ideas  
6 includes the rights of *dissenting speakers* to use public spaces. The Union seeks a heckler’s veto for one side.

7 The Union effectively concedes the political nature of most of these demands by now insisting that  
8 they bring three demands, two of which they have not widely publicized to their own members:

- 9 (1) demands by research employees that they have the right to opt out of work on  
10 military-funded projects, (2) protests against the discrimination and hostile work  
11 environment endured by Palestinian, Arab, Muslim and pro-Palestinian students and  
12 employees, and (3) opposition to the University’s disparate negative treatment of pro-  
13 Palestinian speech in the workplace.

14 UAW Opp. at 40.

15 The Union has gone as far to delete the URL on their website that displayed their original list of five  
16 demands it made in *express support* of the “Palestine Solidarity Movement.”<sup>47</sup> But divestment was a *major* part  
17 of the Union’s push for strike authorization. For example, ASE Statewide Chair Tanzil Chowdhury, while  
18 speaking at the former Berkely encampment (addressing his comments toward the Regents) said:

19 There is one simple choice that you can make. ... **You can choose**  
20 **divestment. That is what our union demands.** That is what this  
21 encampment demands. That is what the people demand. **But you must divest.**  
22 You must end your financial support for those who perpetrate and support this  
23 genocide from the campus administration, to the Berkeley foundation, to the  
24 entire UC endowment. You must make ironclad commitments now to divest  
25 from all of these. **And until that moment comes, our union** and the people—  
26 as the refrain goes—“**we will not stop and we will not rest.**”<sup>48</sup>

27 (Emphasis added, crowd chants omitted.)

28 The Union’s political aims have been clear over the course of the strike as well, as news photos

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29 <sup>47</sup> See note 1, *supra* concerning the Union’s curious attempt to memory hole the “UAW 4811 Demands  
30 in Support of the Palestine Solidarity Movement.”

31 <sup>48</sup> Free People’s Park!, *UC Berkeley UAW rep. Tanzil Chowdhury speaks at rally for Rafah*, YouTube (May  
32 7, 2024) at 10:00, [www.youtube.com/watch?v=TfQp-pgkLVs&t=600s](https://www.youtube.com/watch?v=TfQp-pgkLVs&t=600s).

1 demonstrate. For example, on the first day of the Santa Cruz strike,  
2 pre-printed “Unfair Labor Practice” signs were lined up with a hand-  
3 drawn sign indicating what activists apparently mean by “ULP”: UAW  
4 4811 Loves Palestine.



Figure 4: UAW 4811 Loves Palestine (Lookout Santa Cruz)

5 As for the Union’s *post-hoc* demands advanced for litigation: to  
6 the extent the Union can prove “discrimination and hostile work  
7 environment” (they can’t), this should be handled within the grievance  
8 process, or by escalating the PERB charges filed by the Union—not a strike. The Union imagines its ULP  
9 charges to be a sword to void performance of its contract, but they are at best a shield against legitimate  
10 University violations. Grievances do not give the Union a free pass to ignore its obligations.

11 Meanwhile, the funding and disclosure demands harm students who work under grants some activists  
12 would find objectionable. Because the Union is breaching the scope of its representation to its members with  
13 its political demands, that unilateral action is a *per se* breach of multiple duties owed toward Solomon and union  
14 members under California law. *City of Sacramento*, PERB Decision No. 2351-M at p. 13 (2013) (citing *Vernon*  
15 *Fire Fighters v. City of Vernon*, 107 Cal.App.3d 802, 823 (1980)) (duty to bargain); *Regents of the University of*  
16 *California*, PERB Decision No. 2094-H, p. 32 (2010) (duty of good faith in representation).

17 **1. The Union’s “amnesty” demand emboldens activist misconduct and**  
18 **endangers students like Solomon.**

19 As the Bay Area Jewish Community Relations Counsel put it:

20 Today’s strike does more than result in cancelled classes—it makes Jewish students  
21 feel targeted and deeply unwelcome. These students feel that there is no safe place for  
22 them on campus.<sup>49</sup>

23 Solomon agrees, and further believes that capitulation to the Union’s “amnesty” demand would make  
24 matters worse for workers like him. An indiscriminate amnesty for non-labor misconduct—normally treated  
25 as a student disciplinary matter—will further encourage activists to engage in more threatening behavior.

26 Offering amnesty is a license for pro-Palestinian protestors to either continue or resurrect the protest  
27 encampments, thereby allowing one side to essentially hijack public spaces that should be available as forums

28 <sup>49</sup> Quoted by *UC Santa Cruz academic workers strike to stand up for pro-Palestinian protesters* (May 20, 2024),  
[www.cbsnews.com/sanfrancisco/news/uc-santa-cruz-academic-workers-strike-pro-palestinian-protesters/](http://www.cbsnews.com/sanfrancisco/news/uc-santa-cruz-academic-workers-strike-pro-palestinian-protesters/).

1 for *all* viewpoints under reasonable time, place and manner restrictions. Amnesty essentially elevates the pro-  
2 Palestinian protestors and their message over their opponents. Zionists have free speech rights, too.

3 **2. The “disclosure” and “opt out” demands put a target on the back of many**  
4 **Union workers, and will harm their careers.**

5 Similarly, the Union makes a quintessentially political demand that the University disclose all funding  
6 sources in a publicly available database. The demand intrudes into the fiscal management decisions of the  
7 University with far-reaching consequences. It almost certainly harms many covered workers, who use grants  
8 and funding that other students may find objectionable.

9 Grant writers would be reluctant to contribute funding in basic science and or other research that may  
10 get them blacklisted by politically-motivated students. If “protestors” monopolizing public spaces are to be  
11 protected under the Union’s first demand for amnesty, what principle limits these occupations to library walks  
12 and administration buildings? This demand therefore likely harms Union members since donors and entities  
13 that provide research grants and funding may refrain from funding research at the University for fear of being  
14 on a “blacklist” or a target for negative publicity. Broad disclosure requirements for speech may also violate  
15 the First Amendment rights of workers and donors. “Exacting scrutiny is triggered by ‘state action  
16 which *may* have the effect of curtailing the freedom to associate,’ and by the ‘*possible* deterrent effect’ of  
17 disclosure.” *Ams. for Prosperity Found. v. Bonta*, 141 S. Ct. 2373, 2388 (2021). A dissident UAW member noted  
18 the conflicting interests: “What’s weird about number 3 is that thousands of uaw 4811 members are on  
19 DOD/DARPA grants...”<sup>50</sup> Post-doctoral researchers include many young scientists who work under principal  
20 investigator’s grants and need to obtain grants and fellowships of their own in order to launch their careers.  
21 Some of this funding comes from companies that the “divestment” activists decry.

22 In making its “disclosure” and “opt-out” demands, the Union violates its duty of fair dealing toward  
23 members who depend on grants anyone might conceivably find objectionable.

24 **3. The divestment demands are plainly political.**

25 The demand for divestment represents an egregious power grab by the Union to make fiscal decisions  
26 on behalf of a large public research university, including the ability to exercise veto power over investment  
27 decisions. This goes far beyond issues related to the basic terms and conditions of employment.

28 <sup>50</sup> Hazel Katz, @dripping\_hazel (May 6, 2024), [archive.is/2vqoq](https://archive.is/2vqoq) (archive).

1 Unions of private employers are forbidden under federal law from demanding that “any person ...  
2 cease doing business with any other person.” 29 U.S.C. § 158(b)(4)(ii)(B). While this law does not apply to state  
3 unions, it suggests that the Union’s demand for a secondary strike on steroids is not a legitimate objective—  
4 even for unions of private employers, which do not need to balance public interests.

5 The people of the state of California have elected representatives charged with promoting the general  
6 welfare and balancing tradeoffs among stakeholders. Lawmakers might choose to make the University consider  
7 factors besides fiscal prudence when deciding how to allocate its investments, which constitute a public trust  
8 held for the benefit of all Californians. Elected governors may appoint regents who wish to plot a new course  
9 for how the University executes its vital functions on behalf of 300,000 students and the public at large. These  
10 decisions should be made by and for all Californians, not by groups of activists who take it upon themselves  
11 to disregard rules against seizing public spaces. Nor should these issues be dictated by public unions that  
12 lawlessly foment chaos to the detriment of thousands of students and some of the union’s own workers.

13 **4. Permitting the Union’s strike opens the floodgates to countless political**  
14 **demands without any logical limit.**

15 The Union’s political demands lack limiting principles preventing their application to any political  
16 position that self-appointed activists could conceivably adopt. The problem emerges from the Union’s central  
17 premise of its “Demands in Support of Palestinian Solidarity Movement.” This movement, like most  
18 unorganized movements, contains multitudes: It has no clear leader, and no single set of demands. Some  
19 activists want nothing less than Israel’s annihilation. There will always be more activists willing to act out, and  
20 boundless causes exist to agitate over. While activists may distinguish their cause as opposition to “genocide”  
21 (at least an inapt description for a war), political causes employ similarly inflammatory rhetoric. Fossil fuel  
22 executives are “mass murderers,” industrial meat production is a “holocaust” of sentient beings, and so forth.

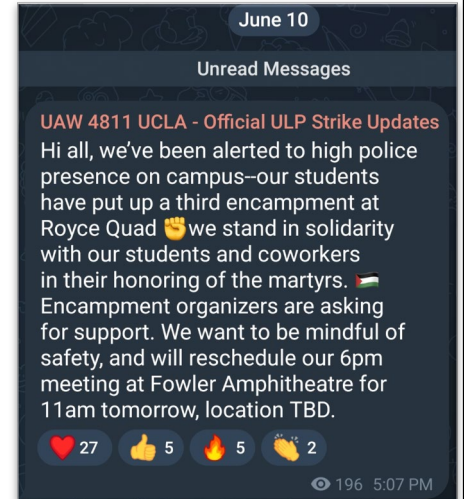
23 Should the Court permit the Union to engage in political demands in response to an employer  
24 enforcing ordinary rules against fanatics, *every* political cause will want the leverage that union concerted action  
25 brings. This is not a fanciful hypothetical: some activists at an active encampment want the ability to veto  
26 university funding over at least immigration policy, too.<sup>51</sup>

27 \_\_\_\_\_  
28 <sup>51</sup> Linda Dayan, *'Starve the War Machine': Workers at UC Santa Cruz Strike in Solidarity With pro-Palestinian Protesters*, HAARETZ (May 21, 2024), archived at: [archive.is/nQocI](https://archive.is/nQocI).



1           **E.       Union activist statements since entry of the TRO.**

2           Before the Court even heard the University’s TRO application, activists planned to continue their strike  
3 in defiance of an order. A Santa Cruz account posted a thread concerning “whether or not to defy the ‘TRO’”  
4 if issued by “some right-wing judge” acting as the University’s  
5 “auxiliaries in John Wayne country.”<sup>52</sup> They opined that a “TRO  
6 precipitates a more, rather than less, militant response.” Following the  
7 entry of the TRO, this thread, with the comment “it’s go time!” was  
8 retweeted by Santa Cruz ASE Unit Chair Rebecca Gross.<sup>53</sup> A June 8  
9 thread by the same account ponders whether intentional slowdowns in  
10 providing grades “might become a de facto bargaining chip” against a  
11 TRO entered by “the dishonorable Randall J. Sherman.”<sup>54</sup> It opines “the  
12 TRO will reveal itself for what it is: a scrap of paper, the pathetic sign of  
13 an establishment straining under the Palestine solidarity movement.”



14           *Figure 5: message from the Union's  
15 UCLA Telegram channel*

16           The Union continues to make its political aims manifest. On June 10 the Union’s official Telegram  
17 Channel for the UCLA worksite announced the creation of the (third) encampment at UCLA, writing “we  
18 stand in solidarity with our students and coworkers in their honoring of the martyrs.”<sup>55</sup> The attempted third  
19 UCLA encampment precipitated conflicts with police, dozens of arrests, and a particularly deranged activist  
20 calling a Rabbi “pedophile” and asking him to “go back to Poland.”<sup>55</sup>

21           **IV.       Conclusion**

22           The Union’s strike should be enjoined for the protection of all workers. The Union has not only  
23 breached its contract with the University, but also its duty to advance the interests of *all* covered workers by  
24 launching a strike on behalf of amorphous political movements without any logical limiting principle.

25           <sup>52</sup> @payusmoreucsc (Jun. 7, 2024), [threadreaderapp.com/thread/1799080200166367700.html](https://threadreaderapp.com/thread/1799080200166367700.html).

26           <sup>53</sup> Although the *LA Times* characterized @payusmoreucsc as “representing ... rank-and-file union  
27 members at UC Santa Cruz,” [archive.is/0ETm1](https://archive.is/0ETm1), it appears the account is actually run by Union officers  
28 Rebecca Gross and Santa Cruz steward Summer Sullivan, who described it as “our” twitter account on a recent  
podcast appearance. @MAKCapitalism (May 28) [x.com/MAKCapitalism/status/1795623922156613931](https://x.com/MAKCapitalism/status/1795623922156613931).

<sup>54</sup> @payusmoreucsc (Jun. 8, 2024), <https://threadreaderapp.com/thread/1799597437876871470.html>.

<sup>55</sup> Faygie Holt, *UCLA protestors call Chabad rabbi a pedophile amid campus unrest*, THE JEWISH CHRONICLE,  
[www.thejc.com/news/usa/ucla-protestors-call-chabad-rabbi-a-pedophile-amid-campus-unrest-lxgh67lq](https://www.thejc.com/news/usa/ucla-protestors-call-chabad-rabbi-a-pedophile-amid-campus-unrest-lxgh67lq).

1  
2 Dated: June 12, 2024

Respectfully submitted,

3 /s/ Neville Hedley

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10  
11  
12  
13  
14 CERTIFICATE OF COMPLIANCE

15 Pursuant to Rule 8.520(c) of the California Rules of Court and relying upon the word count feature of  
16 the computer program used to prepare this Proposed Amicus Curiae Brief, counsel certifies that the text of  
17 this brief, including footnotes, was produced using 12-point type and contains 7861 words. This excludes the  
18 items required under Rules 8.204(a)(1), 8.204(b)(10), 8.208, and the Application to file an amicus brief required  
19 under Rule 8.200(c).

20  
21 DATED this 12th of June, 2024.

22  
23 /s/ Neville Hedley  
24 Neville S. Hedley

# EXHIBIT 1

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19  
20 **UNITED STATES DISTRICT COURT**  
21 **CENTRAL DISTRICT OF CALIFORNIA**

22 YITZCHOK FRANKEL;  
23 JOSHUA GHAYOUM; and  
24 EDEN SHEMUELIAN,  
25  
26 Plaintiffs,

27 v.

REGENTS OF THE UNIVERSITY OF  
CALIFORNIA; MICHAEL V. DRAKE,  
President of the University of California;  
GENE D. BLOCK, Chancellor, University  
of California, Los Angeles; DARNELL  
HUNT, Executive Vice-President and  
Provost; MICHAEL BECK, Administrative  
Vice Chancellor; MONROE GORDEN, JR.,  
Vice Chancellor; and RICK BRAZIEL,  
Assistant Vice Chancellor, each in both his  
official and personal capacities,  
Defendants.

**No. 2:24-CV-4702**

**COMPLAINT**

**JURY DEMAND**

\* *pro hac vice* application forthcoming

1 NATURE OF THE ACTION

2 1. The University of California, Los Angeles, once considered  
3 among the most prestigious public institutions in the world, has  
4 deteriorated into a hotbed of antisemitism. This rampant anti-Jewish  
5 environment burst into view on October 8, 2023, the day after Hamas  
6 terrorists attacked Israel in a harrowing rampage that saw over one  
7 thousand innocent Jews, including infants and the elderly, murdered,  
8 raped, and mutilated.

9 2. In the wake of these horrifying events, UCLA should have taken  
10 steps to ensure that its Jewish students were safe and protected from  
11 harassment and undeterred in obtaining full access to campus facilities.  
12 Instead, UCLA officials routinely turned their backs on Jewish students,  
13 aiding and abetting a culture that has allowed calls for the annihilation  
14 of the Jewish people, Nazi symbolism, and religious slurs to go  
15 unchecked.

16 3. Matters turned especially ugly the following spring.

17 4. Starting on April 25, 2024, and continuing until May 2, 2024,  
18 UCLA allowed a group of activists to set up barricades in the center of  
19 campus and establish an encampment that blocked access to critical  
20 educational infrastructure on campus.

21 5. The activists chanted antisemitic threats like “death to the Jews,”  
22 “free Palestine from the hand of Jews,” and “from the River to the Sea,  
23 Palestine will be free,” proudly trumpeting their hatred of the Jewish  
24 people. But their actions went well beyond such chants.

25 6. With the knowledge and acquiescence of UCLA officials, the  
26 activists enforced what was effectively a “Jew Exclusion Zone,”  
27 segregating Jewish students and preventing them from accessing the  
28 heart of campus, including classroom buildings and the main

1 undergraduate library. In many cases, the activists set up barriers and  
2 locked arms together, preventing those who refused to disavow Israel  
3 from passing through.

4 7. To enter the Jew Exclusion Zone, a person had to make a  
5 statement pledging their allegiance to the activists' views and have  
6 someone within the encampment "vouch" for the individual's fidelity to  
7 the activists' cause. While this may have prevented a pro-Israel  
8 Christian from entering the Zone and permitted access for a Jewish  
9 person willing to comply with the enforcers' demands, given the  
10 centrality of Jerusalem to the Jewish faith, the practical effect was to  
11 deny the overwhelming majority of Jews access to the heart of the  
12 campus.

13 8. Activists issued wristbands or other forms of identification to those  
14 who passed this Orwellian inquisition.

15 9. UCLA's administration knew about the activists' extreme  
16 actions, including the exclusion of Jews. But, in a remarkable display of  
17 cowardice, appeasement, and illegality, the administration did nothing  
18 to stop it.

19 10. UCLA Chancellor Gene Block publicly acknowledged that  
20 "students on their way to class have been physically blocked from  
21 accessing parts of the campus."

22 11. Yet even as the activists continued to enforce the Jew Exclusion  
23 Zone, Defendants not only failed to marshal resources to intervene—  
24 they adopted a policy facilitating the Jew Exclusion Zone, ordering,  
25 among other things, UCLA campus police to stand down and step aside.

26 12. And not only that, but UCLA also hired security staff and  
27 stationed them on the outskirts of the encampment and other restricted  
28 areas.

1 13. But rather than instruct this additional staff to assist Jewish  
2 students in accessing campus resources, UCLA instead instructed them  
3 to discourage unapproved students from attempting to cross through the  
4 areas blocked by the activists.

5 14. The security officers, acting as agents of Defendants, informed  
6 Jewish persons that, if they wished to access the encampment or other  
7 restricted areas, they would first need to obtain the permission of the  
8 encampment members.

9 15. All told, the Jew Exclusion Zone existed on campus for a full week,  
10 wreaking havoc on the lives of Jewish students who were simply trying  
11 to attend classes and study for exams.

12 16. Each of the Plaintiffs was prevented from passing through the  
13 Jew Exclusion Zone. Joshua Ghayoum, a sophomore and history major,  
14 was repeatedly blocked from passing through the encampment to reach  
15 meetings and study sessions. Eden Shemuelian, a second-year law  
16 student, was shooed away by a security officer who chastised her and  
17 called her “the problem” for attempting to peacefully observe the  
18 encampment. And Yitzchok Frankel, a second-year law student, was  
19 harassed and blocked from approaching the encampment by antisemitic  
20 activists, all with the assistance of UCLA security.

21 17. UCLA boasts of its “open and inclusive environment that  
22 nurtures the growth and development of all faculty, students,  
23 administration and staff,”<sup>1</sup> and assures students that it does “not  
24 tolerate acts of discrimination, harassment or conduct causing harm to  
25 individuals on the basis of race, color, ethnicity,” “citizenship,” “national  
26

27  
28 <sup>1</sup> *Mission & Values*, UCLA, <https://perma.cc/7KUA-8NLV>.

1 origin,” or “religious beliefs.”<sup>2</sup> UCLA has a number of policies that  
2 purport to implement these guarantees.

3 18. But UCLA has failed to provide Jewish students, faculty, and  
4 staff with the protection promised by such policies. Jews should not fear  
5 for their safety when they walk around any public space, let alone the  
6 campus of a prominent American research university.

7 19. Yet here we are. The administration’s cowardly abdication of its  
8 duty to ensure unfettered access to UCLA’s educational opportunities  
9 and to protect the Jewish community is not only immoral—it is illegal.

10 20. Specifically, it violates numerous federal and state constitutional  
11 guarantees, including the Equal Protection Clause, the Free Exercise  
12 Clause, and the freedom of speech.

13 21. And it contravenes the basic guarantee of equal access to  
14 educational facilities that receive federal funding, as well as numerous  
15 other statutory guarantees of equality and fair treatment.

16 22. Plaintiffs need immediate injunctive relief to ensure that neither  
17 they nor any other Jew will again suffer from the discrimination they  
18 have endured. And because the UCLA administration’s actions amount  
19 to sanctioning segregation, their clearly unconstitutional actions entitle  
20 Plaintiffs to hold the school’s administrators personally liable for their  
21 reprehensible failures.

22 23. In 1790, President George Washington wrote to the Hebrew  
23 Congregation of Newport, Rhode Island, which had sought assurances  
24 about the place of Jews within American society. He wrote, “May the  
25 Children of the stock of Abraham, who dwell in this land, continue to  
26

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27 <sup>2</sup> *Inclusive Excellence Framework for Advancing EDI @ UCLA*, UCLA  
28 <https://perma.cc/3HMJ-F5K6>.



1 merit and enjoy the good will of the other Inhabitants; while every one  
2 shall sit in safety under his own vine and figtree, and there shall be none  
3 to make him afraid.”<sup>3</sup>

4 24. UCLA has grievously failed to live up to Washington’s promise  
5 that none shall be made afraid. But this Court can ensure that his  
6 promise—and, more importantly, the promises of the United States  
7 Constitution and civil rights laws—are kept.

### 8 JURISDICTION AND VENUE

9 25. The Court has subject-matter jurisdiction under 28 U.S.C.  
10 §§ 1331 and 1343 over Plaintiffs’ claims arising under the Constitution  
11 and laws of the United States. The Court has supplemental jurisdiction  
12 over Plaintiffs’ state law claims because they “form part of the same case  
13 or controversy.” 28 U.S.C. § 1367(a).

14 26. The Court has authority to issue the declaratory and injunctive  
15 relief sought under 28 U.S.C. §§ 2201 and 2202.

16 27. Defendants’ constitutional violations are actionable under 42  
17 U.S.C. § 1983.

18 28. Venue lies in this district under 28 U.S.C. § 1391(b), including  
19 because (i) at least one Defendant resides in the Central District of  
20 California and all Defendants reside in the State of California, and (ii) a  
21 substantial part of the events or omissions giving rise to the claim  
22 occurred in the Central District of California.

### 23 THE PARTIES

24 29. Plaintiff Yitzchok Frankel is Jewish. He is a student at the UCLA  
25 School of Law who just completed his second year of law school. Frankel

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26 <sup>3</sup> Letter from George Washington to the Hebrew Congregation in  
27 Newport, Rhode Island (Aug. 18, 1790), in *Founders Online*, National  
28 Archives, <https://perma.cc/VUR8-G3BC>.

1 resides in Los Angeles, California.

2 30. Plaintiff Joshua Ghayoum is Jewish. He just completed his  
3 sophomore undergraduate year at UCLA. Ghayoum resides in Los  
4 Angeles, California.

5 31. Plaintiff Eden Shemuelian is Jewish. She is a student at the  
6 UCLA School of Law who just completed her second year of law school.  
7 Shemuelian resides in Los Angeles, California.

8 32. Defendant Regents of the University of California is a public  
9 agency within the meaning of Cal. Gov't Code § 7920.525(a) and is  
10 empowered under the California Constitution, Article IX, Section 9, to  
11 administer the University of California, including the University of  
12 California, Los Angeles. The Board of Regents is the governing body for  
13 the University of California system and under Article IX, Section 9, of  
14 the California Constitution has “full powers of organization and  
15 government.” The Board of Regents has its principal place of operation  
16 in Oakland, California.

17 33. Defendant Dr. Michael V. Drake is the current President of the  
18 University of California and has served in that position since August  
19 2020. As President, Drake oversees and is responsible for the operations  
20 of the entire University of California system, which includes UCLA.  
21 Drake is sued in both his personal capacity and in his official capacity.  
22 Drake resides in California.

23 34. Defendant Dr. Gene D. Block is the current Chancellor of UCLA  
24 and has served in that position since August 2007. As Chancellor, Block  
25 is the highest-ranking university official at UCLA. Block's duties include  
26 establishing campus policies, goals, and strategy. He is sued in both his  
27 personal capacity and in his official capacity. Block resides in this judicial  
28 district.

1 35. Defendant Dr. Darnell Hunt is the current Executive Vice  
2 Chancellor and Provost of UCLA and has served in that position since  
3 September 2022. He is sued both in his personal capacity and in his  
4 official capacity. Hunt resides in this judicial district.

5 36. Defendant Michael J. Beck is the current Administrative Vice  
6 Chancellor of UCLA and has served in that position since March 2016.  
7 Beck was in charge of the public safety operations of the school at all  
8 relevant times from October 7, 2023, through May 5, 2024.<sup>4</sup> Defendant  
9 Beck is sued in both his personal capacity and in his official capacity.  
10 Beck resides in this judicial district.

11 37. Defendant Monroe Gorden, Jr., is the current Vice Chancellor,  
12 Student Affairs, of UCLA and has served in that position since April  
13 2018. Gorden is sued both in his personal capacity and in his official  
14 capacity. Gorden resides in this judicial district.

15 38. Defendant Rick Braziel is the Associate Vice Chancellor for  
16 Campus Safety at UCLA. In this role, Braziel serves as the head of the  
17 newly created Office of Campus Safety at UCLA, which as of May 5, 2024,  
18 oversees the UCLA Police Department (“UCLA PD”). Braziel is sued in  
19 his personal capacity and his official capacity. Braziel resides in this  
20 judicial district.

21 39. All individual Defendants are persons acting under color of state  
22 law within the meaning of 42 U.S.C. § 1983.

## 23 **FACTUAL BACKGROUND**

### 24 **A. UCLA**

25 40. The University of California, Los Angeles is a large public research  
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27 <sup>4</sup> Gene D. Block, *Changes to Campus Security Operations*, UCLA  
28 Chancellor (May 5, 2024), <https://perma.cc/Y9DV-4A3H>.

1 university located in the Westwood neighborhood of Los Angeles,  
2 California, which is within the Central District of California

3 41. UCLA is one of the largest universities in California, with over  
4 33,000 undergraduate students and over 13,000 graduate students.

5 42. UCLA is part of the 10-campus University of California system,  
6 which includes other universities such as the University of California,  
7 Berkeley.

8 43. UCLA's campus is spread across 419 acres of publicly owned land  
9 that is, as a general matter, open to the public.

10 44. UCLA's Younes and Soraya Nazarian Center for Israel Studies is  
11 the university's center promoting the study of modern Israel and was the  
12 first of its kind on the West Coast when it was founded in 2010.

13 45. Approximately eight percent of UCLA's 33,000 undergraduate  
14 students are Jewish.

15 46. UCLA tells its students that its policies exist to "create and  
16 maintain a safe, supportive, and inclusive campus community that  
17 engages students."<sup>5</sup>

18 47. The UCLA administration has repeatedly trumpeted its  
19 commitment to inclusion. Indeed, UCLA stated that it "will never remain  
20 silent when unlawful actions threaten our students and community  
21 members."<sup>6</sup>

22 48. As a public university, UCLA has a policy for public protests that  
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25 <sup>5</sup> *Student Conduct Code*, UCLA Office of the Dean of Students,  
26 <https://perma.cc/G6JD-E9TG>.

27 <sup>6</sup> UC President Janet Napolitano and UC Chancellors, *A Letter to the*  
28 *UC Community on Today's DACA Decision*, UCLA Chancellor (June 18,  
2020), <https://perma.cc/A2ZC-TR4F>.

1 includes time, place, and manner restrictions.<sup>7</sup>

2 49. The policy specifically notes that “speech and assembly on  
3 university grounds” “must not interfere with the orderly operation of the  
4 campus and must be conducted in a manner that reasonably protects  
5 others from becoming involuntary audiences.”

6 50. For instance, it violates the regulations to “block entrances to or  
7 otherwise interfere with the free flow of traffic into and out of campus  
8 buildings,” “knowingly and willfully interfere with the peaceful conduct  
9 of the activities of the campus or any campus facility by intimidating,  
10 harassing, or obstructing any University employee, student, or any other  
11 person having lawful business with the University,” and to “camp or  
12 lodge, except in authorized facilities or locations.”<sup>8</sup>

13 51. UCLA’s policies do not allow private individuals to exercise  
14 exclusive control over campus facilities or spaces.

15 52. UCLA also has an anti-discrimination policy, which protects  
16 students and faculty from discrimination and harassment.

17 53. The policy includes reporting and investigation mechanisms and  
18 promises that “[a]ny individual can report conduct that may be  
19 Prohibited Conduct. The University will respond promptly and equitably  
20 to such reports. This includes appropriate action to stop, prevent, and  
21 remedy the Prohibited Conduct.”<sup>9</sup>

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25 <sup>7</sup> *Your First Amendment Rights as a Student at UCLA* at 3, UCLA  
Student Affairs, <https://perma.cc/FP2Z-8NWC>.

26 <sup>8</sup> *Id.* at 7-8.

27 <sup>9</sup> *Anti-Discrimination Policy* at 5, University of California Systemwide  
28 Office of Civil Rights (Feb. 20, 2024), <https://bit.ly/3KqZ1pj>.

1       **B. Antisemitic Protests at UCLA Following the October 7th**  
2       **Attack**

3       54. In the wake of the deadly Hamas attacks against Israel on October  
4       7, 2023, protests emerged around the country, frequently on college  
5       campuses.

6       55. These protests often included disturbing antisemitic language and  
7       imagery.

8       56. As Chancellor Block has admitted in sworn testimony, UCLA has  
9       not been “immune to the disturbing rise of antisemitism across our  
10       country since October 7th.”<sup>10</sup>

11       57. UCLA was also the site of antisemitic demonstrations.

12       58. For example, at an October 12, 2023, demonstration at Bruin  
13       Plaza—a thoroughfare in the heart of UCLA’s undergraduate campus—  
14       activists chanted “*Itbah El Yahud*” (“slaughter the Jews” in Arabic) and  
15       carried antisemitic signs.

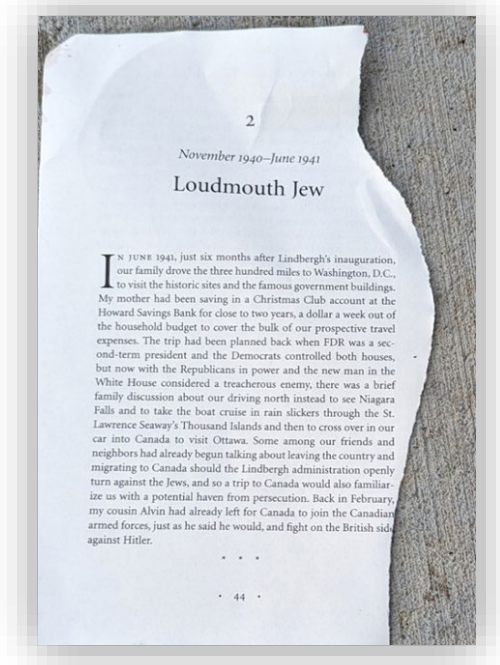
16       59. Counter-protesters present at the time were identifiably Jewish,  
17       through cultural or religious clothing and jewelry, or were identifiably  
18       pro-Israel, based on holding or wearing insignia of Israeli flags.

19       60. Police officers were present but did not intervene.

20       61. A few weeks later, a UCLA faculty member found a piece of paper  
21       entitled “Loudmouth Jew” accompanied by a book cover prominently  
22       featuring a swastika on top of a pile of trash placed outside the faculty  
23       member’s home.

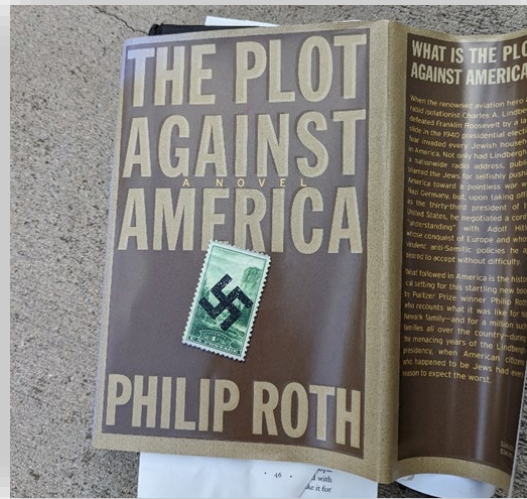
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26       <sup>10</sup> House Comm. on Educ. & the Workforce, *Calling for Accountability:*  
27       *Stopping Antisemitic College Chaos Before the H. Comm. on Educ. & the*  
28       *Workforce*, 118th Cong. at 41:10-41:17, YouTube (May 23, 2024),  
      <https://bit.ly/3R8V3FD> (statement of Chancellor Block).

1 62. Figure 1 is a picture of the “Loudmouth Jew” paper.



13 Figure 1

14 63. Figure 2 is a picture of the book cover featuring a swastika.



15 Figure 2

16 64. Chancellor Block issued a letter to the UCLA community on  
17 October 27, 2023, in which he acknowledged that the “ongoing conflict in  
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1 the Middle East” had “stirred very deep emotions in many of us.” He  
2 stated that these emotional responses do “not in the least give anyone in  
3 our community—or anyone visiting our campus—license to make our  
4 students, staff or faculty feel unsafe.”<sup>11</sup>

5 65. But the antisemitic protests at UCLA continued unabated.

6 66. On November 8, 2023, hundreds of agitators swarmed the UCLA  
7 School of Law, holding signs and chanting “from the River to the Sea,”  
8 “there’s only one solution,” “*intifada*,” “death to Israel,” and “death to  
9 Jews.”

10 67. Also on November 8, 2023, at a Students for Justice in Palestine  
11 protest, harassers chanted “beat that fucking Jew” through a megaphone  
12 while bashing a piñata bearing an image of Israeli Prime Minister  
13 Benjamin Netanyahu.<sup>12</sup>

14 68. In response to these threats of violence and displays of anti-Jewish  
15 hostility, Chancellor Block sent another communication—an email to the  
16 campus community that acknowledged a “rise in reprehensible acts of  
17 Antisemitism” both globally and on campus. He described the November  
18 8, 2023, outburst as “an event” involving “protected speech under the  
19 First Amendment.”<sup>13</sup>

20 69. Yet he was forced to acknowledge that “individuals exhibited  
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22 <sup>11</sup> Gene D. Block, *Maintaining a Safe Learning and Working*  
23 *Environment for All*, UCLA Chancellor (Oct. 27, 2023),  
<https://perma.cc/Q9A9-7F7T>.

24 <sup>12</sup> Greg Gilman, *UCLA Condemns ‘Hateful Behavior,’ ‘Antisemitic*  
25 *Language’ from Pro-Palestinian Student Protesters*, Los Angeles  
26 Magazine (Nov. 12, 2023), <https://bit.ly/3WMDWBK>.

27 <sup>13</sup> Gene D. Block, *Standing Against Bigotry at the University of*  
28 *California*, UCLA Chancellor (Nov. 10, 2023), <https://perma.cc/4SMG-4T6C>.



1 extremely hateful behavior and used despicable Antisemitic language,  
2 which was captured on video and shared widely, frightening many within  
3 our community.”<sup>14</sup>

4 70. Chancellor Block pledged to “work against” such “bigotry” and that  
5 his “administration [would] launch[] its own set of efforts to strengthen  
6 community and reaffirm our values in this period of intense strife.”<sup>15</sup>

7 71. These words proved hollow. In the following months, Jewish  
8 students and faculty at UCLA began to raise safety concerns after anti-  
9 Israel protests caused numerous incidents affecting Jewish faculty, staff,  
10 and students.

11 72. For instance, later in November, the Co-Director of UCLA Chabad,  
12 Rabbi Dovid Gurevich, “said he thinks many Jewish students have felt  
13 unsafe since the Oct. 7 attack and that his organization has recently  
14 increased security measures.”<sup>16</sup>

15 73. And a number of Jewish students recounted seeing antisemitic  
16 symbols (such as a swastika carved into a tree), hearing anti-Jewish  
17 chants, and being subject to harassment because they are Jewish. These  
18 instances and others left many Jewish students feeling “honestly scared  
19 for” their “life” when walking on campus.<sup>17</sup>

20 74. In another incident, of which Chancellor Block was aware, pro-  
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22 <sup>14</sup> *Id.*

23 <sup>15</sup> *Id.*

24 <sup>16</sup> Dylan Winward, *Survivor recounts experience of Oct. 7 attack at event*  
25 *hosted by Chabad at UCLA*, Daily Bruin (Nov. 18, 2023),  
26 <https://perma.cc/94HX-5YEQ>.

27 <sup>17</sup> Dylan Winward & Catherine Hamilton, *Jewish students express*  
28 *concern over antisemitism on UCLA campus*, Daily Bruin (Nov. 19, 2023),  
<https://perma.cc/TDP6-2876>.

1 Palestinian activists were seen on campus holding knives.<sup>18</sup>

2 75. Several Jewish students, including Shemuelian and Ghayoum,  
3 were forced to miss class or attend class remotely to avoid pro-Palestinian  
4 rallies on campus and out of fear for their own safety.

5 76. Activists also tore down and defaced posters depicting the names  
6 and faces of the hostages brutally kidnapped by Hamas terrorists.

7 77. On December 5, 2023, more than 350 faculty circulated an open  
8 letter to Chancellor Block and the UCLA administration explaining that  
9 these demonstrations resulted in “Jewish students, staff and faculty who  
10 are afraid to be on campus, show solidarity with Israel or practice their  
11 freedom of religion in public.”<sup>19</sup>

12 78. On another occasion, a UCLA faculty member observed that the  
13 message “Free Palestine, Fuck Jews” was scrawled on the bathroom wall  
14 in Schoenberg, UCLA’s music building. That graffiti was washed away  
15 by custodians. But after the cleaning, it was quickly replaced with new  
16 graffiti: “Fuck Zionists.”

17 79. Figure 3 is an image of the “Fuck Zionists” graffiti in the music  
18 building.

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22 <sup>18</sup> House Comm. on Educ. & the Workforce, *Calling for Accountability:  
23 Stopping Antisemitic College Chaos Before the H. Comm. on Educ. & the  
24 Workforce*, 118th Cong. at 2:27:14-2:27:40, YouTube (May 23, 2024),  
<https://bit.ly/3WYmUfm> (statement of Chancellor Block).

25 <sup>19</sup> See, e.g., UCLA Faculty Against Terror, *Op-ed: UCLA must condemn  
26 Hamas attacks, fight antisemitism on campus*, Daily Bruin (Dec. 5, 2023),  
27 <https://perma.cc/A6KU-XBFS>; Dylan Winward, *UCLA faces scrutiny for  
28 safety issues at protests for Israel, Palestine*, Daily Bruin (Dec. 5, 2023),  
<https://perma.cc/QQF8-U8F4>.

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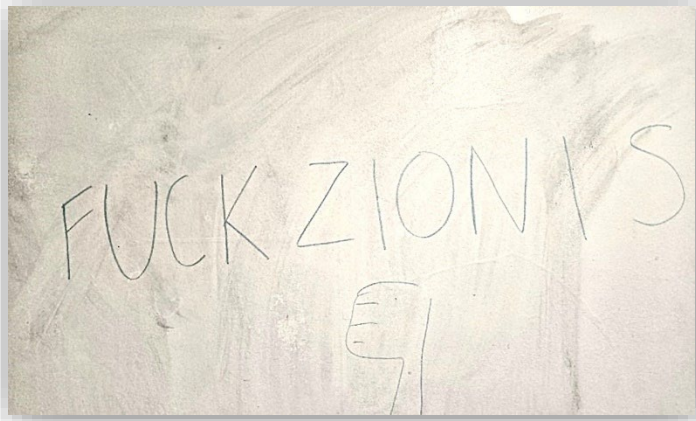


Figure 3

80. On December 6, 2023, Alpha Epsilon Pi—UCLA’s Jewish fraternity—was instructed by UCLA PD to hire extra security for a party it hosted as a safety precaution.

81. In February 2024, a scheduled talk at Royce Hall with former Israeli Minister of Foreign Affairs Tzipi Livni hosted by the Younes and Soraya Nazarian Center for Israel Studies was moved online in the wake of planned protests.<sup>20</sup>

82. And, in late March 2024, an individual placed a disturbing antisemitic statue on campus in front of the UCLA Luskin Conference Center. The statue depicted a several-foot-tall pig holding a bag of money and a birdcage with a keffiyeh, alongside a bucket painted with a star of David.<sup>21</sup>

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<sup>20</sup> See, e.g., Michael Starr, *Tzipi Livni UCLA talk moved online after anti-Israel protest*, The Jerusalem Post (Feb. 28, 2024), <https://perma.cc/L9LD-4GC7>.

<sup>21</sup> See, e.g., David Myers, *Op-ed: Antisemitic imagery at UC Regents meeting protest threatens campus discourse*, Daily Bruin (Apr. 2, 2024), <https://perma.cc/E67X-LSJT>.

1 83. Figure 4 is a photograph of the statue.  
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10  
11 Figure 4

12 84. This antisemitic statue was designed and intended to threaten  
13 Jewish students and make them feel unsafe and unwelcome on UCLA's  
14 campus.

15 85. The statue was far from the only public display of antisemitism on  
16 the UCLA campus.

17 86. Antisemitic images and chants became commonplace on UCLA's  
18 campus. Swastikas, other Nazi references, and other antisemitic imagery  
19 appeared throughout campus.

20 **C. A Jew Exclusion Zone is Established on Campus, and  
21 UCLA Facilitates It**

22 87. After a pro-Hamas protest encampment was established at  
23 Columbia University on April 17, 2024, activists at other colleges and  
24 universities around the country quickly began to copy the protest  
25 strategy.<sup>22</sup>

26 88. On April 25, 2024, a group of activists "established," as Chancellor

27 <sup>22</sup> See, e.g., Jonathan Park et al., *In Photos: A nation shaken by camps*  
28 *for Gaza*, Daily Trojan (May 2, 2024), <https://perma.cc/XF2W-FRP8>.

1 Block described it, “an unauthorized physical encampment on part of the  
2 Royce Quad.”<sup>23</sup>

3 89. Royce Quad, also known as Dickson Plaza, is a large, grassy space  
4 located between two buildings to its north (Royce Hall and Haines Hall),  
5 and two buildings to its south (Powell Library and Kaplan Hall), which  
6 represent the original four buildings of UCLA’s campus.

7 90. Royce Quad is one of the most-frequented areas on campus where  
8 students gather during the day and between classes. It is also a  
9 thoroughfare that students and faculty routinely use to access the rest of  
10 UCLA’s campus, including buildings like the Student Activities Center  
11 and the main recreational facility, the John Wooden Center, both of  
12 which are located just southwest of the Quad. It is also located a short  
13 walk from many academic buildings, including UCLA’s business school  
14 and law school.

15 91. Royce Hall is considered “the symbol of UCLA,” “distinguished by  
16 its impeccable beauty.”<sup>24</sup> Its award-winning auditorium hosts many  
17 performances and events every year. Royce Hall also has seminar and  
18 meeting rooms and hosts UCLA classes.

19 92. Powell Library, in turn, is UCLA’s main undergraduate library.  
20 Powell Library is not only UCLA’s most popular place to study, but “also  
21 offers a wide variety of programming, including exhibits, concerts,  
22 dances, readings and other events that support student learning and  
23 creativity.”<sup>25</sup>

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25 <sup>23</sup> Gene D. Block, *Affirming our Values in a Challenging Time*, UCLA  
26 Chancellor (Apr. 30, 2024), <https://perma.cc/T79X-62MZ>.

27 <sup>24</sup> UCLA, Royce Hall, <https://perma.cc/8FCB-W5HU>.

28 <sup>25</sup> UCLA, Powell Library, <https://perma.cc/VG6D-LA6H>.

1 93. The encampment was set up on the Royce Quad near both Royce  
2 Hall and Powell Library.<sup>26</sup>

3 94. At times, it extended as far west as the Janss Steps, a long  
4 staircase leading up to Royce Quad.

5 95. Those inside the encampment chanted antisemitic slurs like “this  
6 is the final solution,” “fuck Israel,” “death to Jews,” “death to Israel,”  
7 “*intifada* revolution,” and “from the River to the Sea.”

8 96. Chancellor Block has admitted in sworn testimony that “*intifada*  
9 revolution” and “from the River to the Sea” are antisemitic slogans and  
10 are potentially dangerous.<sup>27</sup>

11 97. The use of antisemitic imagery was common. These images  
12 included money symbols and other references that play on well-known  
13 antisemitic tropes and posters with drawings of pigs. Inverted red  
14 triangles, a common image used by Hamas to denote Jewish targets, were  
15 also present.

16 98. Other activists held signs with the Star of David crossed out, a  
17 swastika being compared to the Israeli flag, or reading “Nazionist.”

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23 <sup>26</sup> See Julia Zhou et al., *Gallery: UCLA students supporting Palestine*  
24 *organize encampment in Dickson Plaza*, Daily Bruin (Apr. 27, 2024),  
25 <https://perma.cc/27KB-V3Y9>.

26 <sup>27</sup> House Comm. on Educ. & the Workforce, *Calling for Accountability:*  
27 *Stopping Antisemitic College Chaos*, 118th Cong. at 3:06:20-3:07:07:10,  
28 YouTube (May 23, 2024), <https://www.youtube.com/watch?v=4bu4eGIDNss> (statement of Chancellor Block).

1 99. Figure 5 is a photograph of an antisemitic sign displayed near the  
2 UCLA encampment.



16 Figure 5

17 100. Figure 6 depicts chalking on campus sidewalks with a swastika,  
18 a star of David, and the “Nazionist” statement.



28 Figure 6

1 101. On at least one occasion, the word “Royce” on the “Royce Hall”  
2 sign was replaced with the word “*Intifada*,” so that the sign read *Intifada*  
3 Hall.

4 102. Figure 7 is a photograph of the activists’ sign dubbing Royce Hall  
5 *Intifada* Hall.



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14 Figure 7

15 103. Others scrawled graffiti on campus buildings and displayed anti-  
16 Jewish slogans on campus.

17 104. Figures 8 and 9 are photographs of examples of such statements.



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27 Figure 8



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1 105. Posters depicting the hostages kidnapped and tortured by  
2 Hamas were also ripped down and defaced.

3 106. Some activists chalking Stars of David onto UCLA's sidewalks  
4 alongside directions to "Step Here."

5 107. Figure 10 is a photograph of such a "Step Here" chalking.



15 Figure 10

16 108. The encampment was eventually reinforced with barricades, as  
17 activists established checkpoints for the creation of a "Jew Exclusion  
18 Zone."

19 109. To pass through these checkpoints, a person needed to agree to  
20 the activists' "demands." These "demands" required any person who  
21 wished to enter the encampment to condemn Israel as a committer of  
22 "apartheid[] and genocide of the Palestinian people," to call for "an end  
23 to the occupation and genocide in Palestine," and to agree that UCLA  
24 should "[s]ever all UC-wide connections to Israeli universities, including  
25 study abroad programs, fellowships, seminars, and research  
26 collaborations, and UCLA's Nazarian Center."

27 110. Even if the person expressed agreement with the activists'  
28

1 demands, he would still be denied entry if there was no one already in  
2 the encampment who would “vouch” for him.

3 111. If the person succeeded in finding someone who could vouch for  
4 him, then he would be given a wristband or other form of pre-approved  
5 identification and allowed to pass through.

6 112. At these checkpoints, students were frequently asked if they  
7 were a “Zionist,” or accused of being “Zionists,” and were denied entry.  
8 Others were denied passage simply for wearing a Star of David  
9 necklace.<sup>28</sup>

10 113. For example, one student was stopped by activists at the  
11 encampment because “you don’t have a wristband” and then, when he  
12 questioned why they wouldn’t let Jewish students in, he was asked, “[a]re  
13 you a Zionist?” When he responded that he is a Zionist, the activists  
14 responded that “we don’t let Zionists inside.”

15 114. On information and belief, a case manager within UCLA’s Office  
16 of Equity, Diversity, and Inclusion called a UCLA student on or about  
17 May 20, 2024, and asked the student if he was “aware that the protesters  
18 had an agreement with the University to screen students based on their  
19 viewpoints.”

20 115. These checkpoints prevented faculty, staff, and students from  
21 accessing the Powell Library, Royce Hall, other classrooms and UCLA  
22 facilities, and other areas of campus.

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27 <sup>28</sup> Jenny Jarvie, ‘Are You a Zionist?’ Checkpoints at UCLA encampment  
28 provoked fear, debate among Jews, LA Times (May 9, 2024),  
<https://perma.cc/X3TG-EF4J>.

1 116. Figure 11 is a photograph of the UCLA encampment and the  
2 barricade that the activists erected.



13 Figure 11

14 117. Defendants directed the UCLA PD not to intervene in the  
15 disturbances on campus, including with respect to the encampment and  
16 the Jew Exclusion Zone.

17 118. For example, on or about April 29, 2024, a parent of a Jewish  
18 student called the UCLA PD and reported that her son had been denied  
19 access to campus because he was Jewish and did not have an activist-  
20 approved wristband. During the conversation, the police dispatcher said:  
21 “the police are not intervening with that right now, and this is coming  
22 from the University. So if you had any questions or concerns, you would  
23 take it with the University itself. ... We have received a directive to not  
24 intervene at this time, yes. ... I would suggest contacting the Chancellor’s  
25 office or higher ups in the University with your concerns. ... We’re not  
26 forcing them to move out of the area. ... All I’m saying is we’re not  
27  
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1 unblocking the entrances. ... The school is saying that they will not be  
2 removed at this time.”

3 119. Moreover, Defendants stationed privately hired “CSC security  
4 teams,” who wore uniforms or vests reading CSC and/or Event Staff, on  
5 the outskirts of the encampment and other restricted areas. Seán Devine,  
6 *Campus Activity Updates (April 27th)*, UCLA: Bruins Safe Online (Apr.  
7 27, 2024), <https://perma.cc/FN87-7NCM>. Defendants also dispatched  
8 “[s]afety personnel in Student Affairs Mitigators (SAMs) and Public  
9 Safety Aides (PSAs) uniforms ... around the encampment site,” *id.*, as  
10 well as other “campus security.”<sup>29</sup>

11 120. CSC stands for Contemporary Services Corporation, which is a  
12 private security company with experience managing crowds and  
13 providing event security, including at colleges and universities.

14 121. Figure 12 shows the CSC staff that (as further described below)  
15 stopped Plaintiff Shemuelian and ordered her away from the  
16 encampment area.

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27 <sup>29</sup> Seán Devine, *Campus Activity Updates (April 29th)*, UCLA: Bruins  
28 Safe Online (Apr. 29, 2024), <https://perma.cc/Q46U-BS7Z>.



Figure 12

122. Defendants instructed these various security groups to discourage unapproved students from attempting to cross through the areas blocked by the activists.

123. Campus security staff, acting as agents of Defendants, directed students away from the encampment and, in some cases, stated that they needed permission from the activists to access the encampment, essentially acting as force multipliers to the activists manning the barricades.

124. The campus security staff turned away students, including Plaintiffs Josh Ghayoum and Eden Shemuelian, who were not approved by the activists and thus refused to allow or to help them pass through Royce Quad to Powell Library or Royce Hall.

125. Dozens of faculty members supported the activists in their efforts to set up and maintain the encampment.<sup>30</sup>

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<sup>30</sup> See, e.g., UCLA Department of History, *Statement of Members of the Department of History in Response to the Attack on the Encampment on*

1 126. Figure 13 is a photograph of a pro-encampment faculty protest  
2 on April 29, 2024.<sup>31</sup>



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11 Figure 13

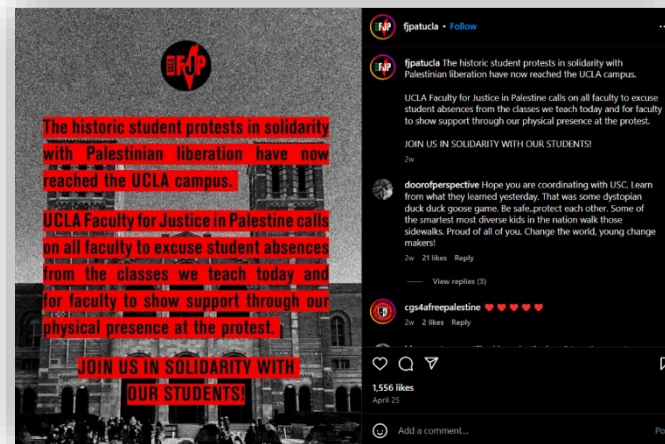
12 127. On information and belief, these faculty encouraged the activists  
13 to maintain the encampment despite the rampant violations of stated  
14 policy and encouraged the UCLA administration to continue to allow the  
15 illegal encampment to remain in place unabated.

16 128. Faculty members called for fellow faculty to excuse student  
17 absences related to presence at the encampment, and the UCLA Faculty  
18 for Justice in Palestine called for “faculty to show support through [their]  
19 physical presence at the protest.”

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22 <sup>30</sup> April 2024, UCLA: Division of Social Sciences (May 1, 2024),  
23 <https://perma.cc/AB66-7BKK> (members of the department were at the  
24 encampment overnight); UCLA Department of History, *Statement of*  
25 *Members of the Department of History in Response to Clearing the*  
26 *Encampment*, UCLA: Division of Social Sciences (May 2, 2024),  
<https://perma.cc/W727-9GV7>.

27 <sup>31</sup> Clara Harter, *UCLA faculty walk out as pro-Palestinian*  
28 *demonstrations, counterprotests grow across California campuses*, East  
Bay Times (Apr. 30, 2024), <https://perma.cc/94DE-ZG37>.

1 129. Figure 14 is a screenshot of a faculty group encouraging faculty  
2 to attend the protest and excuse encampment-related absences.



11 Figure 14

12 130. Some UCLA staff and faculty members chose to host classes and  
13 study sessions from inside the encampment and offered students  
14 participating in the encampment better grades and extra credit.

15 131. For example, on April 30, 2024, while the encampment was still  
16 in place, a lecturer within UCLA's labor studies department posted on X  
17 a picture of himself standing outside a graffiti-covered barricade and  
18 stated: "At UCLA's Free Palestine zone in solidarity with the students  
19 in my class. I will do all our classes for from [sic] the encampment. Free  
20 Palestine."

21 132. Other faculty cancelled classes or held office hours near the  
22 encampment.

23 133. Faculty members were aware of the antisemitic nature of the  
24 encampment and the systematic exclusion of Jewish students from the  
25 encampment.

26 134. In fact, in an email sent on April 30, 2024, Plaintiff Ghayoum's  
27 history professor stated that he would hold additional "office hours ...  
28 across from the encampment, if there is some space" because he wished

1 to “give students holding down the encampment a chance to meet with  
2 me.” If a student, such as Ghayoum, did not “feel comfortable coming in  
3 close proximity to th[e] encampment,” such a student was required to  
4 contact the professor separately to set up an appointment.

5 135. Students who disagreed with the encampment faced physical  
6 violence.

7 136. On April 25, 2024, a group of agitators left the encampment,  
8 surrounding members of a counter-protest, tearing down their signs,  
9 taking pictures of them, and assaulting them. Some held images of an  
10 inverted red triangle, a well-known symbol employed by Hamas to mark  
11 Jewish military targets. In response, personnel wearing UCLA jackets  
12 brought in metal barricades and directed staff to use them to expand the  
13 protected area given to those in the encampment.

14 137. And on April 28, 2024, a female student suffered a concussion  
15 after clashing with an encampment member. That same night, another  
16 female student was pepper-sprayed by a member of the encampment.

#### 17 **D. UCLA’s Response to the Anti-Jewish Segregation**

18 138. The encampment operated for five days without any  
19 interference from Defendants, and indeed with their support via the  
20 failure to enforce stated policies or allow ordinary law enforcement  
21 intervention.

22 139. According to UCLA, the University would not “request law  
23 enforcement involvement preemptively,” but “only if absolutely  
24 necessary to protect the physical safety of our campus community.”<sup>32</sup>

25 140. This toleration of clear violations of stated policies persisted  
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27 <sup>32</sup> Seán Devine, *Campus Activity Updates (April 28th)*, UCLA: Bruins  
28 Safe Online (Apr. 28, 2024), <https://perma.cc/33DY-F74E>.



1 even though UCLA acknowledged on April 29, 2024, that “some physical  
2 altercations broke out among demonstrators on Royce Quad” the  
3 previous day.<sup>33</sup>

4 141. The very next day, Chancellor Block sent a letter to the entire  
5 UCLA community acknowledging that the “unauthorized physical  
6 encampment” had led to “frankly ... shocking and shameful” “tactics,”  
7 that the encampment included “instances of violence completely at odds  
8 with our values,” and that the encampment had resulted in “students on  
9 their way to class [being] physically blocked from accessing parts of the  
10 campus.”<sup>34</sup>

11 142. He further acknowledged that these “shameful” tactics left  
12 students feeling “bullied, threatened and afraid,” and left many,  
13 “especially our Jewish students, in a state of anxiety and fear.”<sup>35</sup>

14 143. Yet despite this knowledge, Defendants continued to refuse to  
15 eliminate the Jew Exclusion Zone at the heart of its campus.

16 144. Instead, Chancellor Block continued to instruct the UCLA PD  
17 not to intervene. As a result, many Jewish students, faculty, and staff  
18 continued to be barred from accessing areas of campus.

19 145. The same day Chancellor Block sent his letter, the University  
20 acknowledged that the encampment was impeding student access to  
21 certain parts of campus.

22 146. At 8:00 AM, the University sent a Campus Activity Update  
23 tagged as a “Public Safety” alert stating that “The access to Royce Quad  
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25 <sup>33</sup> Seán Devine, *Campus Activity Updates (April 29th)*, UCLA: Bruins  
26 Safe Online (Apr. 29, 2024), <https://perma.cc/Q46U-BS7Z>.

27 <sup>34</sup> Block, *supra* note 23.

28 <sup>35</sup> *Id.*

1 is limited and as such, please enter Powell and Kaplan Hall from the  
2 south-facing entrances; Royce and Haines Hall are accessible through  
3 the north or west entrances. We will continue to ensure people on  
4 campus know about the demonstration so they can avoid the area if they  
5 wish. This includes having student affairs representatives stationed  
6 near Royce quad to let Bruins and visitors know about the encampment,  
7 redirect them if desired and to serve as a resource for their needs.”<sup>36</sup>

8 147. That same afternoon, the University announced that “[a]ccess  
9 to Royce Hall is now closed through Friday. Alternate locations are being  
10 identified as options for classes taking place in Royce. Instructors will  
11 inform students about further information regarding class location.  
12 Faculty should reach out to their departments for possible classroom  
13 reassignments.” UCLA also closed Powell Library early at 5 PM.<sup>37</sup>

14 148. The alerts did not direct activists to remove the barricades—and  
15 did nothing to ensure that Jewish faculty and staff could access academic  
16 buildings and Royce Quad.

17 149. In sum, Defendants acknowledged the threat to Jewish  
18 students, opted to officially close crucial academic buildings to facilitate  
19 the encampment, and did nothing to clear the illegal encampment or  
20 stop agitators at the encampment from blocking access to Powell Library  
21 and other buildings on Royce Quad or to guarantee the ability of Jewish  
22 students to traverse campus safely and freely.

23 150. After refusing to intervene to protect the rights of Jewish  
24 students for days, Defendants authorized UCLA PD and outside law

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25 <sup>36</sup> Seán Devine, *Campus Activity Updates (April 30th at 8:00AM)*, UCLA:  
26 Bruins Safe Online (Apr. 30, 2024), <https://perma.cc/39EX-FXGR>.

27 <sup>37</sup> Seán Devine, *Campus Activity Updates (April 30th at 4:25PM)*, UCLA:  
28 Bruins Safe Online (Apr. 30, 2024), <https://perma.cc/2XHC-8HKB>.

1 enforcement to intervene when a confrontation between encampment  
2 members and counter-protesters escalated into a violent clash on the  
3 evening of April 30, 2024.

4 151. UCLA PD and LAPD intervened to separate the fighters but  
5 continued to allow the encampment to remain in place, including the  
6 barricades.

7 152. Defendants made the decision to allow the encampment to  
8 remain in place. On the morning of May 1, Chancellor Block sent an  
9 email to the entire campus community, condemning “the attack on the  
10 encampment that has been established ... to advocate for Palestinian  
11 rights” by “a group of instigators.” It was only after this “attack” that  
12 UCLA decided to “request[] support from external law enforcement  
13 agencies to help end this appalling assault, quell the fighting and protect  
14 our community.” The email said nothing about prior attacks—both  
15 physical and verbal—on Jewish students as they tried to access  
16 academic buildings and traverse Royce Quad, nor did it promise to allow  
17 safe passage to Jewish students going forward.

18 153. In fact, the encampment remained in place on May 1, 2024.  
19 UCLA and Defendants did not restore full access to campus for Plaintiffs  
20 or other Jewish faculty, staff, and students. Instead, UCLA took several  
21 actions, including cancelling “all classes” on May 1, keeping Royce Hall  
22 closed at least through May 3, closing Powell Library through the  
23 weekend, and requiring remote classes during May 2 and 3.<sup>38</sup> UCLA also  
24 closed other areas of campus, including Geffen Academy, Lab School,  
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27 <sup>38</sup> Seán Devine, *Campus Activity Updates (May 1st at 8:00 AM)*, UCLA:  
28 Bruins Safe Online (May 1, 2024), <https://perma.cc/8SLY-QNLW>.

1 and Early Care and Education.<sup>39</sup>

2 154. The next day, Chancellor Block sent a second email,  
3 acknowledging that the encampment was “unlawful” and “a breach of  
4 policy” that his administration had nonetheless “allowed ... to remain in  
5 place” and that it had resulted in “demonstrators directly interfer[ing]  
6 with instruction by blocking students’ pathways to classrooms” for  
7 “several days.”<sup>40</sup> The email explained that on the morning of May 2,  
8 UCLA finally asked “UCPD and outside law enforcement officers to  
9 enter and clear the encampment.”<sup>41</sup>

10 155. The email went on to describe the “carefully developed” plan  
11 that law enforcement used to clear the encampment, which included  
12 “giv[ing] [the activists] several warnings” and “offer[ing] them several  
13 opportunities to leave peacefully before officers entered the area.”

14 156. Chancellor Block has admitted in sworn testimony that the  
15 “encampment was against policy” and “violated time, place, and  
16 manner.” And he has stated that he and the University administration  
17 “should have been prepared to immediately remove the encampment if  
18 and when the safety of our community was put at risk.”<sup>42</sup>

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19  
20 <sup>39</sup> Seán Devine, *Campus Activity Updates (May 1st at 6:30PM)*, UCLA:  
21 Bruins Safe Online (May 1, 2024), <https://perma.cc/3XXA-FLEC> (“all in-  
22 person classes are authorized and required to pivot to remote”  
for May 2-3).

23 <sup>40</sup> Gene D. Block, *Our Community is in Deep Pain*, UCLA Chancellor  
24 (May 2, 2024), <https://perma.cc/E66L-Q5UA>.

25 <sup>41</sup> *Id.*

26 <sup>42</sup> House Comm. on Educ. & the Workforce, *Calling for Accountability:*  
27 *Stopping Antisemitic College Chaos*, 118th Cong. at 2:45:21-2:45:27,  
28 45:03:00-45:08:00 YouTube (May 23, 2024), [https://www.youtube.com/  
watch?v=4bu4eGIDNss](https://www.youtube.com/watch?v=4bu4eGIDNss) (statement of Chancellor Block).

1 157. His administration’s failed response to the encampment led  
2 Chancellor Block to conclude that “urgent changes [were] needed in how  
3 we administer safety operations.”<sup>43</sup>

4 158. Thus, on May 5, 2024, Chancellor Block announced the creation  
5 of a new “Office of Campus Safety” that reports directly to Block and  
6 that is tasked with overseeing UCLA PD and other departments.<sup>44</sup> Block  
7 also announced the creation of “a formal advisory group with expert  
8 leaders” to assist this newly created office.<sup>45</sup>

9 159. Chancellor Block tapped Defendant Rick Braziel to lead the  
10 Office of Campus Safety “as its inaugural associate vice chancellor.”<sup>46</sup>

11 **E. Radical Groups Threaten Further Lawlessness on UCLA’s**  
12 **Campus**

13 160. UCLA’s tardy decision to finally end the blatant segregation and  
14 targeted harassment of Jews did not bring an end to the matter.

15 161. Radical groups affiliated with the encampment have continued  
16 to call for similar actions and have even threatened that bolder actions  
17 are soon to follow.

18 162. Even after the encampment was taken down, UCLA’s campus  
19 has been consumed with anti-Israel protests and further attempts at  
20 occupying parts of campus.

21 163. The same day the encampment was finally cleared, Students for  
22 Justice in Palestine at UCLA, one of the primary organizers of the  
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24 <sup>43</sup> Gene D. Block, *Changes to Campus Security Operations*, UCLA  
25 Chancellor (May 5, 2024), <https://perma.cc/Y9DV-4A3H>.

26 <sup>44</sup> *Id.*

27 <sup>45</sup> *Id.*

28 <sup>46</sup> *Id.*

1 encampment, promised “we will not stop, we will not rest.”<sup>47</sup>

2 164. And, four days after the encampment was cleared, activists  
3 associated with the encampment posted a letter in the name of the “The  
4 Determined Palestine Solidarity Encampment,” stating “we will not rest  
5 until they divest.”<sup>48</sup>

6 165. Some have already made good on these threats. For example,  
7 activists attempted to occupy Moore Hall—home to the UCLA School of  
8 Education and Information Studies—on May 6, 2024.

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25 <sup>47</sup> UCLA Palestine Solidarity Encampment, *Precursory Statement from*  
26 *UCLA Palestine Solidarity Encampment* (May 2, 2024),  
<https://perma.cc/Y3P9-3MCK>.

27 <sup>48</sup> Palestine Solidarity Encampment at UCLA, *Refusing Co-optation*  
28 (May 6, 2024), <https://perma.cc/TW3A-BZXY>.

1 166. Figure 15 shows an Instagram post from Students for Justice in  
2 Palestine at UCLA calling for students to occupy Moore Hall on May 6,  
3 2024.<sup>49</sup>

4 167. Figure 16 shows a door in Moore Hall with text over the top  
5 posted by Students for Justice in Palestine at UCLA.<sup>50</sup>



17 Figure 15



24 Figure 16

25 168. One week later, on May 13, 2024, Students for Justice in  
26 Palestine at UCLA and other affiliated groups called for activists to block  
27 access to two parking decks on campus.<sup>51</sup> In response, numerous activists  
28 marched and chanted in front of the parking deck and blocked access to  
the entrance point.

49 @SJPatUCLA, Instagram (May 6, 2024), <https://bit.ly/3RAE1R5> (call to assemble at Moore Hall).

50 @SJPatUCLA, Instagram Story (May 6, 2024) (photo of occupation of Moore Hall).

51 @SJPatUCLA, Instagram (May 13, 2024), <https://perma.cc/44CJ-XEJW?type=image>.

1 169. Figure 17 shows an image of an Instagram post by Students for  
 2 Justice in Palestine at UCLA calling for activists to assemble to block the  
 3 parking decks.



15 Figure 17

16 170. These actions and the aftermath of the encampment have  
 17 continued to wreak havoc on normal University operations and access to  
 18 campus.

19 171. For instance, Transfer Bruin Day, originally scheduled to be held  
 20 on May 11, 2024, was postponed and moved online in response to ongoing  
 21 threats of disruption.<sup>52</sup>

22  
23  
24  
25 <sup>52</sup> See Seán Devine, *Recent Updates, UCLA: Bruins Safe Online* (May 6-  
 26 11, 2024), <https://perma.cc/NQM2-YGK9>; see also Alexandra Crosnoe,  
 27 *Transfer Bruin Day postponed, moved online following on-campus*  
 28 *demonstrations*, Daily Bruin (May 9, 2024), [https://perma.cc/Q6CG-](https://perma.cc/Q6CG-LMFE)  
 LMFE.



1 172. UCLA also extended its requirement for classes to be held  
2 remotely over the weekend of May 4 and 5.<sup>53</sup> And though UCLA  
3 attempted to return to in-person learning on May 6, that plan proved to  
4 be short-lived.

5 173. Early on the morning of May 6, 2024, the University declared  
6 that “[c]lasses and work in Moore Hall will be remote today due to  
7 ongoing disruptions.”<sup>54</sup>

8 174. Later that same day, the University announced that “[a]ll classes  
9 are moving remote today and campus operations are limited due to  
10 ongoing disruptions.”<sup>55</sup> An announcement that afternoon declared that  
11 classes would be remote for May 6th through 10th.<sup>56</sup>

12 175. That announcement also stated that “Royce Hall and Powell  
13 Library are closed and will remain so through Friday, May 10.”<sup>57</sup>

14 176. Starting May 14, 2024, the same groups that ran the  
15 encampment put on a series of full-day “teach-in” events on Royce Quad  
16 “to reclaim both [their] space and ideas.”

17 177. On the morning of May 23, 2024, the same day that Chancellor  
18 Block testified to Congress about antisemitism on UCLA’s campus, the  
19 groups who instigated the original encampment established a new  
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21 <sup>53</sup> Seán Devine, *Campus Activity Updates (May 3rd)*, UCLA: Bruins Safe  
22 Online (May 3, 2024), <https://perma.cc/R2F8-MKVS>.

23 <sup>54</sup> Seán Devine, *Campus Activity Updates (May 6th at 8:30AM)*, UCLA:  
24 Bruins Safe Online (May 6, 2024), <https://perma.cc/L4FM-VM4Y>.

25 <sup>55</sup> Seán Devine, *Campus Activity Updates (May 6th at 10:15AM)*, UCLA:  
26 Bruins Safe Online (May 6, 2024), <https://perma.cc/P5N7-4GW6>.

27 <sup>56</sup> Seán Devine, *Campus Activity Updates (May 6th at 4:00PM)*, UCLA:  
28 Bruins Safe Online (May 6, 2024), <https://perma.cc/E5KD-Y67Y>.

<sup>57</sup> *Id.*

1 encampment, setting up tents and barricades on Kerckhoff Patio, near  
2 the Bruin Walk thoroughfare.

3 178. In response, law enforcement and security staff set up a  
4 perimeter to prevent food and supplies from reaching the encampment.  
5 After UCLA issued a statement declaring the encampment unlawful<sup>58</sup>  
6 and law enforcement began moving in, the activists relocated to Murphy  
7 Hall and then Dodd Hall before finally calling off the efforts.

### 8 **F. Yitzchok Frankel**

9 179. Yitzchok Frankel is a law student who completed his second year  
10 at UCLA School of Law in the Spring of 2024.

11 180. Frankel is an Orthodox Jew, and has been so for his whole life.

12 181. Frankel is also the descendant of Holocaust survivors on both  
13 sides of his family. His family was so severely impacted by the Holocaust  
14 that only four members of his paternal grandfather's family survived.

15 182. Consistent with his Orthodox Jewish faith, Frankel keeps  
16 kosher, strictly observes Shabbat and all Jewish holidays, and wears a  
17 kippah.

18 183. Frankel and his wife are also dedicated to raising their four  
19 children in the Jewish faith and send them to Orthodox Jewish schools.  
20 The Frankel family regularly attends synagogue in the Los Angeles area.

21 184. Frankel attended Orthodox Jewish day schools for his primary  
22 education and completed his undergraduate degree at Yeshiva  
23 University—a leading Orthodox Jewish institution of higher learning in  
24 the United States.

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27 <sup>58</sup> UCLA Newsroom, *Statement on demonstrators on Kerckhoff patio*  
28 (May 23, 2024), <https://perma.cc/FYC3-M648>.

1 185. After completing his undergraduate degree, Frankel worked at  
2 an Orthodox Jewish boys school, YULA High School, in Los Angeles for  
3 five years, and completed an online masters degree from Yeshiva  
4 University.

5 186. Frankel has strong ties to Israel. He has visited Israel  
6 approximately eight times, including one trip where he spent six weeks  
7 studying the Talmud at a yeshiva.

8 187. Each time Frankel journeys to Israel, he visits the *Kotel*—the  
9 only remaining vestige of the Temple destroyed by the Roman Empire in  
10 70 CE along with the rest of Jerusalem. While there, he engages in  
11 “tearing *kriah*,” the ritualistic act of rending one’s garments as an act of  
12 mourning for the destruction of the Jewish Temple.

13 188. Frankel seeks to follow Jewish law (*halacha*), which prohibits  
14 speaking ill of or defaming the land of Israel. *See, e.g.*, Rabbi Eliezer  
15 Melamed, *Peninei Halakhah*, *The Nation and the Land* 3:11; *see also*  
16 *Talmud Bavli, Erchin* 15a (describing punishment meted out for  
17 speaking ill of the land of Israel); *Talmud Bavli, Ketubot* 112a-112b  
18 (describing precautions taken by rabbis to ensure that no ill would be  
19 spoken of the land of Israel). Thus, Frankel believes, as a matter of his  
20 religious faith, that he must support Israel.

21 189. Like many other Jews around the world, Frankel also engaged  
22 in a ritual at his wedding that marks the connection between all Jews  
23 and Israel: as the bridegroom, he crushed a glass with his foot at the end  
24 of the wedding ceremony. This is meant to symbolize and recall to  
25 memory the destruction of the Temple in Jerusalem by the Roman  
26 Empire. Immediately before Frankel broke the glass, those assembled  
27 sang “If I forget you, Yerushalayim, let my right hand forget how to work.  
28 Let my tongue stick to the roof of my mouth if I do not remember you. If

1 I do not set Yerushalayim above my chiefest joy.” For this reason, too,  
2 Frankel cannot disavow his connection to Israel.

3 190. Frankel also engages in the daily *Amidah* prayer petitioning for  
4 the coming of the Messiah and the return of all Jews to Israel. To  
5 Frankel, these prayers emphasize that all Jews, whether living in Israel  
6 or abroad, have a religious duty to support Israel.

7 191. Frankel is a vice president for the Jewish Law Students  
8 Association which, among other things, bakes pastries for Jewish  
9 holidays, holds Shabbat dinners, and occasionally gathers to study  
10 Torah.

11 192. After the October 7 attacks, Frankel began to wear a shirt  
12 depicting an American and Israeli flag nearly every day as a sign of his  
13 support for Israel and his Jewish identity.

14 193. Frankel began to notice a rise in antisemitic activity on UCLA’s  
15 campus after October 7, 2023.

16 194. Frankel observed on repeated occasions that “Bring Them Home”  
17 posters depicting the names and faces of hostages kidnapped and  
18 tortured by Hamas had been torn down, including posters displayed in  
19 areas specifically reserved for the Jewish Law Students Association.

20 195. On information and belief, UCLA has not taken any action  
21 against these individuals.

22 196. Frankel also frequently observed individuals wearing “anti-  
23 Zionist social club” t-shirts.

24 197. Frankel was also present at UCLA School of Law on November 8  
25 and November 21, 2023, when large numbers of activists took over the  
26 law school and its courtyard, chanting antisemitic phrases like “there is  
27 only one solution, *intifada* revolution,” and carrying signs.

28 198. Frankel also reported an antisemitic incident after another

1 student accused him of harassing other students on campus merely  
2 because he was wearing a kippah and a shirt showing an American and  
3 Israeli flag.

4 199. Frankel was directly impacted by UCLA's refusal to dismantle  
5 the Jew Exclusion Zone.

6 200. Frankel frequently traverses Royce Quad to get from the law  
7 school to other locations on campus, including Kerckhoff Coffeehouse and  
8 other food establishments, and to purchase items from the campus store.

9 201. Frankel also frequently walks around Royce Quad in between  
10 classes, sometimes to take breaks, other times while engaged in long  
11 telephone conversations or when meeting with his law school mentee.

12 202. Frankel has also brought his young children to Royce Quad on  
13 numerous occasions to socialize as a family.

14 203. Because of the establishment of the Jew Exclusion Zone and his  
15 knowledge that he could not go through the encampment without  
16 violating his faith by disavowing Israel, Frankel ceased all of these  
17 activities.

18 204. Frankel was the direct recipient of antisemitic harassment  
19 resulting from the encampment.

20 205. On April 25, 2024, the first day the encampment was in place,  
21 Frankel attended a peaceful rally held by Jewish students and other  
22 protesters who support Israel's right to exist.

23 206. While he was there, a masked female student came up to  
24 Frankel, holding a sign with an inverted red triangle in his face.

25 207. Later, masked participants in the encampment left the  
26 encampment and surrounded these observers, including Frankel, tearing  
27 at their signs and pushing them.

28

1 208. Security not only failed to intervene, it actively assisted the  
2 encampment participants.

3 209. A UCLA security guard brought out metal barricades and  
4 directed other staff to set up the barricades around the protesters—in  
5 effect expanding the protected area of the encampment and leaving  
6 Jewish students including Frankel stranded inside.

7 210. A line of security guards wearing blue shirts and mounted on  
8 bicycles also sat idly by, refusing to intervene.

9 211. Later, three masked female students holding a triangular red  
10 bike light stood in front of Frankel, mocking him and taking pictures.

11 212. Frankel knew that he could not approach the barricades and  
12 walk through the encampment without disavowing Israel's right to exist  
13 in direct contravention of his Jewish faith.

14 213. On April 28, 2024, Frankel again participated in a rally near the  
15 encampment with other Jewish students.

16 214. Again, masked participants from the encampment left the  
17 encampment and flanked the protesters, beginning to yell, push, and  
18 shove.

19 215. As was the case in the April 25, 2024, encounter with the  
20 encampment, security did nothing to intervene.

### 21 **G. Joshua Ghayoum**

22 216. Joshua Ghayoum is a UCLA sophomore studying history and  
23 pre-law. Ghayoum is Jewish and the child of Persian immigrants who  
24 came to the United States fleeing antisemitism in Iran.

25 217. Ghayoum grew up learning Judaism from his family and  
26 attended Hebrew school from age five through thirteen, when he had his  
27 *bar mitzvah*.

28

1 218. Ghayoum has visited Israel on three different occasions. He  
2 plans to return a fourth time this summer as part of the Onward  
3 Birthright program, which aims to “create a long-lasting connection with  
4 Israel and to make the strong commitment to Jewish life and community  
5 that future generations depend on.”

6 219. Ghayoum has family and a significant number of friends who live  
7 in Israel and a significant interest in Israel’s religious sites. He considers  
8 Israel a second home.

9 220. Ghayoum observes the religious tenets of Judaism including  
10 observing Shabbat, attending synagogue weekly, and keeping the Jewish  
11 holidays.

12 221. Since he was 13, Ghayoum has worn a necklace that displays a  
13 Star of David.

14 222. For Ghayoum, support for Israel is both a religious obligation  
15 and part of his ethnic cultural identity. For these reasons, he cannot  
16 forswear Israel and its right to exist.

17 223. Ghayoum is a member of UCLA’s Jewish fraternity, Alpha  
18 Epsilon Pi. The fraternity’s building is adorned with a Star of David and  
19 a mezuzah hangs on the doorpost.

20 224. Members of Alpha Epsilon Pi observe Jewish holidays together.  
21 For example, they frequently host Shabbat dinners and annually  
22 construct a Sukkah.

23 225. The fraternity often hosts UCLA’s Chabad rabbi at the  
24 fraternity’s house to pray, discuss Jewish history, and spend time  
25 together.

26 226. Ghayoum is closely involved with the Persian Community at  
27 Hillel (PCH), a subgroup of UCLA’s chapter of Hillel. Ghayoum observes  
28

1 Shabbat along with other members of the PCH community and attends  
2 other Jewish events.

3 227. Ghayoum chose to attend UCLA for its prestigious reputation,  
4 but his relationship with Royce Quad began long before.

5 228. As an area resident living near UCLA, Ghayoum often traveled  
6 to Royce Quad with his family to play soccer, throw frisbees, play on  
7 scooters, and engage in other social activities with family and friends.

8 229. Ghayoum and his family took pictures at Royce Quad to  
9 commemorate a sibling's *bar mitzvah*.

10 230. Beginning after Hamas's vicious attack on Israel, Ghayoum  
11 witnessed numerous raucous anti-Israel demonstrations, which often  
12 included antisemitic chants.

13 231. These demonstrations normally started at the bottom of the  
14 Janss Steps and went up through Royce Quad, the same area where the  
15 encampment would later be set up.

16 232. During these demonstrations, Ghayoum repeatedly heard chants  
17 of "from the River to the Sea, Palestine will be free" and "this is the final  
18 solution."

19 233. Ghayoum also witnessed demonstrators tearing down posters  
20 showing Jewish hostages of Hamas.

21 234. Ghayoum experienced the effects of these demonstrations  
22 personally.

23 235. In early December 2023, the UCLA PD informed Alpha Epsilon  
24 Pi that it should consider hiring private security for a party it planned to  
25 host on December 6. The fraternity hired private security, and UCLA  
26 police officers ended up standing outside the fraternity house for the  
27 duration of the party.

28



1 236. Even though anti-Israel protests were common, Ghayoum  
2 actively and proudly voiced his opposition to these anti-Jewish  
3 sentiments, challenging students who were expressing anti-Jewish  
4 views.

5 237. Ghayoum has personally been impacted by UCLA's  
6 segregationist encampment.

7 238. On one occasion while he was near the encampment, Ghayoum  
8 heard activists chanting "death to Israel" and "death to Jews."

9 239. Ghayoum was stopped twice at encampment checkpoints while  
10 attempting to enter Powell Library and to access Ackerman Union.

11 240. On the first occasion, while attempting to get to Powell Library  
12 to study for his midterms, Ghayoum encountered a massive barricade  
13 flanked by security. A security guard informed Ghayoum that he could  
14 not proceed past the barricade. Ghayoum walked to the other end of the  
15 barricade, only to be confronted by a second security guard who gave the  
16 same instruction.

17 241. Both security guards wore yellow vests reading "CSC."

18 242. Based on knowledge of the encampment's lawlessness, Ghayoum  
19 knew that if he jumped the barricade, he risked facing violence. So he  
20 abandoned his plans to study in the library altogether.

21 243. On a second occasion, Ghayoum attempted to meet a friend at  
22 Ackerman Union. He had made his way through approximately two-  
23 thirds of the occupied area, and was approaching Janss Steps, when he  
24 was stopped by a male approximately in his early twenties and told he  
25 could not proceed without showing a red wristband.

26 244. Ghayoum attempted to continue walking, but the individual  
27 signaled for three other male individuals of the same approximate age to  
28 join him. The four men stood in a line in front of Ghayoum, repeatedly

1 demanding to see his hands and wristband and telling him he could not  
2 walk down Janss Steps.

3 245. The four men aggressively walked toward Ghayoum, forcing him  
4 to walk backward away from the Steps. Occasionally, the activists made  
5 physical contact with Ghayoum.

6 246. Ghayoum felt as though, had he continued to walk forward, the  
7 four activists would have physically stopped him, and he felt confident  
8 that they would have also called in reinforcements.

9 247. Disavowing Israel would be a betrayal of Ghayoum's Jewish  
10 faith.

11 248. Knowing that the situation would escalate if he continued to  
12 assert his rights, Ghayoum abandoned his effort and cancelled the  
13 meeting with his friend. He also understood that any further attempts to  
14 access the Jew Exclusion Zone would be futile.

15 249. The presence of the encampment limited Ghayoum's access to  
16 the undergraduate library. He generally uses the library as a resource  
17 and a place for solo and group study. But because the encampment  
18 members blocked access to the library, Ghayoum was not able to use the  
19 library to study for midterm exams.

20 250. In an email sent on April 30, 2024, Ghayoum's history professor  
21 stated that he would hold additional "office hours ... across from the  
22 encampment, if there is some space" because he wished to "give students  
23 holding down the encampment a chance to meet with me." If a student,  
24 such as Ghayoum, did not "feel comfortable coming in close proximity to  
25 th[e] encampment," such a student was required to contact the professor  
26 separately to set up an appointment.

27 251. That same professor later scheduled a "teach-in at or near the  
28 site of the encampment" in lieu of having class. He stated that students

1 were not required to attend, explaining that “I know there are folks so  
2 traumatized by the fascist/zionist/police assaults on those very grounds  
3 that returning can be triggering.”

4 252. As a result of the encampment, Ghayoum feels that it is no longer  
5 safe to voice opposition to activists expressing anti-Jewish sentiments,  
6 and thus he has in fact ceased doing so. For instance, when discussion  
7 over a class group project turned to criticizing Israel for its “genocide,”  
8 Ghayoum opted to stay silent rather than express his views.

9 253. The encampment directly affected Ghayoum’s class attendance.

10 254. Ghayoum has one class located in Haines Hall, which abuts  
11 Royce Quad. Thus, to attend class, Ghayoum would need to directly  
12 confront the encampment and its activists.

13 255. Because of his class’s close proximity to the encampment, the  
14 encampment’s overall threatening atmosphere, and his knowledge that  
15 he could not pass through the encampment due to his Judaism, Ghayoum  
16 was forced to miss at least four days of class, opting instead to listen to  
17 class recordings.

18 256. The intimidating atmosphere of the encampment meant that  
19 Ghayoum did not wish to enter campus at all.

#### 20 **H. Eden Shemuelian**

21 257. Eden Shemuelian is a first-generation undergraduate and  
22 graduate student. She attended UCLA as an undergraduate and  
23 completed her second year at UCLA School of Law in the Spring of 2024.

24 258. Shemuelian is Jewish and grew up learning about and  
25 participating in her faith by attending Hebrew school, becoming a *bat*  
26 *mitzvah*, celebrating Jewish holidays, and observing Shabbat.

27 259. After her *bat mitzvah*, Shemuelian continued her involvement by  
28 teaching Hebrew to younger children each Sunday.

1 260. Shemuelian continues to observe Jewish holidays and Shabbat,  
2 and attends synagogue with her family.

3 261. Shemuelian wears a Star of David pendant as a sign of her  
4 religious faith and commitment to the Jewish people.

5 262. Shemuelian's father is Israeli, and she has family in Israel.

6 263. Shemuelian has learned a lot about her Jewish faith on her  
7 regular trips to visit her family in Israel, including on a 2018 Birthright  
8 trip, where she visited cultural and religious sites important to the  
9 Jewish people.

10 264. Israel is at the core of Shemuelian's Jewish identity. Israel  
11 represents the homeland of the Jewish people, given to them by God and  
12 set aside for them for thousands of years.

13 265. For Shemuelian, Judaism is synonymous with supporting Israel.  
14 To be a faithful Jew means to support the right of Israel to exist.

15 266. Shemuelian decided to attend UCLA as an undergraduate after  
16 making a campus visit and falling in love with its beauty.

17 267. In particular, Royce Quad stood out to Shemuelian as an iconic  
18 representation of UCLA's beautiful architecture and spirit of  
19 camaraderie.

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1 268. Figure 18 is a picture Shemuelian took of Royce Hall while  
2 touring UCLA's campus in 2016.



15 Figure 18

16 269. Shemuelian decided to pursue her law degree at UCLA after  
17 spending her undergraduate years steeped in UCLA's rigorous academics  
18 and its strong sense of collegiality.

19 270. That sense of collegiality carried over into Shemuelian's first  
20 year of law school, but evaporated quickly beginning after October 7,  
21 2023.

22 271. After October 7, 2023, Shemuelian began to witness an increase  
23 in antisemitic activity on campus, alongside a corresponding lack of  
24 interest by faculty and administration to put it to an end.

25 272. Protests regularly took place at UCLA's law school, replete with  
26 antisemitic language and imagery.

27 273. On many occasions, Shemuelian saw swastikas on campus.  
28

1 274. On October 30, 2023, two activists ripped down “bring them  
2 home” posters that Shemuelian and her friends had hung near the law  
3 school featuring the names and faces of the hostages kidnapped and held  
4 in captivity by Hamas. Shemuelian saw these posters ripped down on  
5 multiple other occasions, including when posters were hung on bulletin  
6 board space dedicated to the Jewish Law Students Association.

7 275. On November 8, 2023, hundreds of agitators—many of them  
8 masked—swarmed into the law school and took over the building. They  
9 chanted various slogans including “death to Israel,” “death to Jews,”  
10 “there is only one solution,” “*intifada*,” and “from the River to the Sea”  
11 while standing approximately ten feet away from Shemuelian.

12 276. After this protest, Shemuelian wrote to Michael Waterstone, the  
13 Dean of the School of Law, copying Chancellor Block and the Student  
14 Affairs Office. The email described the protest and poster vandalism in  
15 detail, explaining that these events left Shemuelian and other Jewish  
16 students “shaking, crying, unable to breathe, and dizzy.”

17 277. The email continued: “this school has not been a safe space for  
18 me and my Jewish peers for the past few weeks. I chose to attend this  
19 university to receive an education. If I had known I would be faced with  
20 extreme antisemitism on a daily basis, I would have committed  
21 elsewhere. I have not been able to sit in class and learn for the past 34  
22 days, especially when these students sit behind me in my classes four  
23 days a week with their Palestinian resistance/terrorist scarves (and only  
24 seconds before class is to begin, they are chanting for the genocide of my  
25 people).”

26 278. Shemuelian also stated that because of this and other protests,  
27 she did not feel safe to attend class in person, opting instead to attend  
28 her lectures online.

1 279. The email identified specific students who had participated in  
2 the protests.

3 280. Dean Waterstone also forwarded the email to UCLA's Dean of  
4 Students, Jasmine Rush, since "this type and the handling of these  
5 incidents happens at the University level." The Dean of Students  
6 "confirmed receipt" of the email.

7 281. On information and belief, none of these students was ever  
8 punished.

9 282. Because no action was taken, Shemuelian ceased attending any  
10 of her classes in person because of the fear and intimidation caused by  
11 hearing antisemitic chants every time she entered the school.

12 283. Shemuelian also severely curtailed the number of hours she  
13 worked for the Ziffren Institute for Media, Entertainment, Technology &  
14 Sports Law at the law school.

15 284. Shemuelian was also personally impacted by UCLA's Jew  
16 Exclusion Zone.

17 285. The encampment's location on Royce Quad was approximately a  
18 three-minute walk from the law school building. Along with many other  
19 law students, Shemuelian frequently leaves the law school and walks  
20 through Royce Quad to access other parts of campus, including to get food  
21 and coffee at other campus locations.

22 286. Because of Royce Quad's central location, and her affinity for the  
23 space that developed as an undergrad, Shemuelian also frequently takes  
24 study breaks to walk around Royce Quad to get some exercise and fresh  
25 air.

26 287. Because of the encampment and her knowledge that Jewish  
27 students were being denied access to Royce Quad and academic  
28

1 buildings, Shemuelian ceased all of this activity, opting instead to stay  
2 home or to not leave the law school at all.

3 288. On April 26, 2024, Shemuelian attempted to observe the  
4 encampment and its activities. Shemuelian approached the barricade,  
5 joining other students wearing Jewish garb such as kippahs and Stars of  
6 David or holding Israeli flags.

7 289. While standing about three feet from the barricade, she  
8 attempted to read the signs and hear the chants taking place within the  
9 encampment. Shemuelian saw signs reading “Fuck Israel” and “From the  
10 River to the Sea,” and depicting red inverted triangles—including on the  
11 encampment’s “official” sign. She also saw signs equating Israel and the  
12 Israeli Defense Force to the Ku Klux Klan and white supremacy. Many  
13 of the activists inside the encampment were masked.

14 290. Rather than ensuring that Jewish students could pass safely  
15 through the areas to access Royce Quad, Powell Library, Royce Hall, and  
16 other locations on campus, Shemuelian witnessed security instead acting  
17 to stop individuals from passing through.

18 291. Thus, security acted as a force multiplier for the activists in the  
19 encampment.

20 292. For instance, a man in a light blue polo shirt that said “Security  
21 Staff” with a logo depicting “CSC” who was standing on the outside of the  
22 barricade began to chastise Shemuelian.

23 293. Though Shemuelian simply stood and watched silently, the CSC  
24 staff member told her that she either needed to come into the  
25 encampment and participate or leave the area.

26 294. The CSC member told Shemuelian that he had “been asked to  
27 keep this area [in front of the encampment] clear” and that he was “not  
28 the problem, you guys are.”



1 295. Additionally, a group of security guards sitting on bikes and  
2 wearing blue shirts emblazoned with CSC mocked Shemuelian and the  
3 other Jewish observers, laughing at a male student singing in Hebrew  
4 who was yelled at by activists, jeering at the students when they  
5 professed anger at not being able to pass through, and repeatedly telling  
6 Shemuelian and the other Jewish students that they needed to leave.

7 296. Shemuelian also witnessed a student wearing a kippah and  
8 holding a pro-Israel sign being told by these same security guards to leave  
9 the area near the encampment.

10 297. As a result of these actions by security, Shemuelian was forced  
11 to leave the area.

12 298. Shemuelian knew that she could not pass through the  
13 encampment without disavowing her beliefs about Israel, which she  
14 could not do both as a matter of faith and as a matter of her ethnic  
15 identity as a Jew.

16 299. On April 28, 2024, Shemuelian was again forced to confront the  
17 encampment due to parking restrictions that prevented her from parking  
18 near the law school.

19 300. Shemuelian had attempted to go to the law school to study for a  
20 final exam that would take place on April 30, 2024. Because of the  
21 parking restrictions, she was forced to park near the encampment and to  
22 walk around the encampment to get to the law school.

23 301. Here, too, Shemuelian knew she could not simply cut through  
24 the encampment, because to do so would require her to violate her faith  
25 by disavowing Israel's right to exist.

26 302. So instead, Shemuelian was forced to walk around the  
27 encampment, with antisemitic chants ringing in her ears and antisemitic  
28 signs in her face.

1 303. This experience severely and negatively impacted Shemuelian's  
2 ability to study for her final once she reached the law school library,  
3 where she could still hear the chanting from the encampment.

4 304. Shemuelian was also forced to walk near the encampment to  
5 attend one of her final exams.

6 305. Unlike other academic departments and programs, the law  
7 school did not cancel or suspend in-person classes or exams due to the  
8 encampment.

9 306. Unlike other programs, which were still in regular class session  
10 during the lead up to and existence of the encampment, the law school  
11 was scheduled to hold final exams from April 29, 2024, through May 9,  
12 2024.

13 307. Shemuelian's ability to study for final exams was severely  
14 compromised due to encampment activity. She was forced to walk near  
15 the encampment to enter the law school, and her studies were routinely  
16 drowned out by the antisemitic chants rising from the encampment.

17 308. The ongoing encampment caused the entire finals period to be  
18 pervaded with a sense of fear for Shemuelian, and she felt that she and  
19 all Jewish students were unsafe and subject to harm if they went  
20 anywhere near the encampment.

21 309. Because of the law school's proximity to the encampment,  
22 Shemuelian also feared activists would enter the law school building as  
23 well.

24 310. The antisemitic activities taking place at the encampment  
25 caused Shemuelian to feel immensely afraid as a Jewish student at the  
26 thought of needing to cross by the encampment to attend her finals.

27 311. On May 1, 2024, Shemuelian raised these concerns to several  
28 different law school deans, explaining she felt "unsafe" coming to the law

1 school for her final exam of the semester due to the encampment's Jew  
2 Exclusion Zone and related protest activity on campus.

3 312. But, despite the previous assurances that such requests would  
4 be accommodated, Shemuelian's request was denied, and her repeated  
5 entreaties for reconsideration were ignored. In fact, Shemuelian did not  
6 receive a response to her final plea that she not be subjected to the  
7 "violence and harassment" she feared by being required to come to  
8 campus for the exam.

9 313. Because the law school administration never responded to her  
10 final request, Shemuelian had to go to campus in order to not miss her  
11 final exam.

## 12 **I. Relief needed**

13 314. As set forth above, Defendants knowingly allowed activists to  
14 establish a Jew Exclusion Zone on UCLA's campus for several days  
15 during the spring quarter in 2024.

16 315. Defendants had the ability to disband the encampment, which  
17 violated stated University policies, but instead chose to allow it to persist.

18 316. Defendants had the ability to order UCLA PD and private  
19 security officers to help Jewish students obtain equal access to campus,  
20 but did not and instead reinforced the exclusion zone.

21 317. Protest groups remain interested in reestablishing their  
22 encampment in the near future, have publicly stated their desire to do  
23 so, and have recently attempted to do so.

24 318. Plaintiffs have been harmed by Defendants' previous allowance  
25 of the Jew Exclusion Zone on UCLA's campus and seek an order from this  
26 Court to be able to continue their educational and professional pursuits  
27 on campus in peace and freedom.

28 319. To know that they will be safe on campus, be free to exercise their

1 religion, and receive the equal protection of the laws, Plaintiffs need an  
2 order requiring Defendants to ensure that no Jew Exclusion Zone will be  
3 allowed on UCLA’s campus, both during the pendency of this case and  
4 beyond.

5 **CLAIMS FOR RELIEF**

6 **Count I**

7 **42 U.S.C. § 1983**

8 **Equal Protection Clause**

9 320. Plaintiffs incorporate by reference the allegations set forth in the  
10 preceding paragraphs.

11 321. Under the Fourteenth Amendment to the United States  
12 Constitution, a State shall not “deny to any person within its jurisdiction  
13 the equal protection of the laws.”

14 322. The Equal Protection Clause prohibits discrimination on the  
15 basis of religion, race, and ethnicity.

16 323. Defendants have deprived Plaintiffs of equal protection of the  
17 laws, as secured by the Fourteenth Amendment, through a policy and  
18 practice that treats Plaintiffs differently than similarly situated  
19 individuals because Plaintiffs are ethnically and religiously Jewish.

20 324. Defendants have knowingly allowed private individuals to bar  
21 Jewish persons from parts of the UCLA campus because of their Jewish  
22 ethnicity and religion, while non-Jewish persons are permitted access to  
23 all areas of campus. Indeed, Defendants affirmatively assisted these  
24 actions by hiring private security guards that reinforced the zone,  
25 refusing to enforce stated policies that prohibited the zone, and  
26 instructing law enforcement officers not to intervene.

27 325. Defendants furthered no legitimate or compelling state interest  
28 by engaging in this conduct.

1 326. Defendants failed to tailor their actions narrowly to serve any  
2 such interest.

3 327. As a result of Defendants' actions, Plaintiffs have been injured  
4 by losing access to educational opportunities, losing access to library and  
5 classroom facilities, losing in-person learning opportunities, losing the  
6 ability to prepare for exams, being denied equal participation in the life  
7 of the university, suffering emotional and physical stress that has  
8 diverted time, attention, and focus from study, and by other harms.

9 328. As a direct and proximate result of Defendants' actions, Plaintiffs  
10 have suffered harm in the form of both general and special damages in  
11 an amount to be determined at trial, including but not limited to  
12 compensatory damages, punitive damages, and pre-judgment and post-  
13 judgment interest.

14 329. Absent injunctive and declaratory relief against Defendants,  
15 Plaintiffs will continue to be harmed by Defendants' actions.

16 **Count II**  
17 **42 U.S.C. § 1983**  
18 **Freedom of Speech**

19 330. Plaintiffs incorporate by reference the allegations set forth in the  
20 preceding paragraphs.

21 331. "If there is any fixed star in our constitutional constellation, it is  
22 that no official, high or petty, can prescribe what shall be orthodox in  
23 politics, nationalism, religion, or other matters of opinion or force citizens  
24 to confess by word or act their faith therein." *W. Va. State Bd. of Educ. v.*  
25 *Barnette*, 319 U.S. 624, 642 (1943).

26 332. Government efforts to regulate speech based on the "specific  
27 motivating ideology or the opinion or perspective of the speaker" is a  
28 "blatant" and "egregious" form of impermissible speech restriction.

1 *Rosenberger v. Rector and Visitors of the Univ. of Va.*, 515 U.S. 819, 829  
2 (1995).

3 333. And the government cannot “coerce an individual to speak  
4 contrary to her beliefs on a significant issue of personal conviction, all in  
5 order to eliminate ideas that differ from its own.” *303 Creative v. Elenis*,  
6 600 U.S. 570, 598 (2023).

7 334. Plaintiffs believe that Israel has the right to exist and maintain  
8 a Jewish state in the Jewish ancestral homeland.

9 335. Plaintiffs were prohibited from accessing areas of the UCLA  
10 campus because they expressed this viewpoint and refused to disavow  
11 Israel.

12 336. By failing to guarantee Plaintiffs access to campus and campus  
13 resources, and affirmatively aiding the denial of such access, on the same  
14 terms as others based on their viewpoint, Defendants engaged in  
15 viewpoint discrimination against Plaintiffs.

16 337. Moreover, by coercing Plaintiffs to confess a belief with which  
17 they disagree, Defendants compelled them to speak in violation of the  
18 First Amendment of the United States Constitution.

19 338. Defendants furthered no legitimate or compelling state interest  
20 by engaging in this conduct.

21 339. Defendants failed to tailor their actions narrowly to serve any  
22 such interest.

23 340. As a result of Defendants’ actions, Plaintiffs have been injured  
24 by losing access to educational opportunities, losing access to library and  
25 classroom facilities, losing in-person learning opportunities, losing the  
26 ability to prepare for exams, being denied equal participation in the life  
27 of the university, suffering emotional and physical stress that has  
28 diverted time, attention, and focus from study, and by other harms.

1 341. As a direct and proximate result of Defendants’ actions, Plaintiffs  
2 have suffered harm in the form of both general and special damages in  
3 an amount to be determined at trial, including but not limited to  
4 compensatory damages, punitive damages, and pre-judgment and post-  
5 judgment interest.

6 342. Absent injunctive and declaratory relief against Defendants,  
7 Plaintiffs will continue to be harmed by Defendants’ actions.

8 **Count III**  
9 **42 U.S.C. § 1983**  
10 **Free Exercise Clause – Status Discrimination**

11 343. Plaintiffs incorporate by reference the allegations set forth in the  
12 preceding paragraphs.

13 344. The Free Exercise Clause “protect[s] religious observers against  
14 unequal treatment” “based on their ‘religious status.’” *Trinity Lutheran*  
15 *Church of Columbia, Inc. v. Comer*, 582 U.S. 449, 458 (2017) (quoting  
16 *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520,  
17 533 (1993)).

18 345. Defendants deprived Plaintiffs of the free exercise of religion, as  
19 secured by the First Amendment, through policies and practices that  
20 subjected Plaintiffs to unequal treatment based on their religious status.

21 346. Defendants furthered no legitimate or compelling state interest  
22 by engaging in this conduct.

23 347. Defendants failed to tailor their actions narrowly to serve any  
24 such interest.

25 348. As a result of Defendants’ actions, Plaintiffs have been injured  
26 by losing access to educational opportunities, losing access to library and  
27 classroom facilities, losing in-person learning opportunities, losing the  
28 ability to prepare for exams, being denied equal participation in the life

1 of the university, suffering emotional and physical stress that has  
2 diverted time, attention, and focus from study, and by other harms.

3 349. As a direct and proximate result of Defendants' actions, Plaintiffs  
4 have suffered harm in the form of both general and special damages in  
5 an amount to be determined at trial, including but not limited to  
6 compensatory damages, punitive damages, and pre-judgment and post-  
7 judgment interest.

8 350. Absent injunctive and declaratory relief against Defendants,  
9 Plaintiffs will continue to be harmed by Defendants' actions.

10 **Count IV**

11 **42 U.S.C. § 1983**

12 **Free Exercise Clause – Not Generally Applicable**

13 351. Plaintiffs incorporate by reference the allegations set forth in the  
14 preceding paragraphs.

15 352. The First Amendment provides that “Congress shall make no law  
16 respecting an establishment of religion, or prohibiting the free exercise  
17 thereof.” U.S. Const. amend. I.

18 353. Under the Free Exercise Clause, a government action that  
19 burdens religious exercise triggers strict scrutiny when it is not neutral  
20 or generally applicable. *Fellowship of Christian Athletes v. San Jose*  
21 *Unified Sch. Dist. Bd. of Educ.*, 82 F.4th 664, 685 (9th Cir. 2023) (en  
22 banc).

23 354. A policy is not generally applicable if it treats “any comparable  
24 secular activity more favorably than religious exercise.” *Tandon v.*  
25 *Newsom*, 593 U.S. 61, 62 (2021) (per curiam).

26 355. Defendants treated Plaintiffs' religious exercises, including  
27 wearing Jewish symbols and expressing support for Israel, less favorably  
28 than comparable secular activities.



1 356. Defendants furthered no legitimate or compelling state interest  
2 by engaging in this conduct.

3 357. Defendants failed to tailor their actions narrowly to serve any  
4 such interest.

5 358. As a result of Defendants' actions, Plaintiffs have been injured  
6 by losing access to educational opportunities, losing access to library and  
7 classroom facilities, losing in-person learning opportunities, losing the  
8 ability to prepare for exams, being denied equal participation in the life  
9 of the university, suffering emotional and physical stress that has  
10 diverted time, attention, and focus from study, and by other harms.

11 359. As a direct and proximate result of Defendants' actions, Plaintiffs  
12 have suffered harm in the form of both general and special damages in  
13 an amount to be determined at trial, including but not limited to  
14 compensatory damages, punitive damages, and pre-judgment and post-  
15 judgment interest.

16 360. Absent injunctive and declaratory relief against Defendants,  
17 Plaintiffs will continue to be harmed by Defendants' actions.

18 **Count V**  
19 **42 U.S.C. § 1983**  
20 **Free Exercise Clause – Religious Targeting**

21 361. Plaintiffs incorporate by reference the allegations set forth in the  
22 preceding paragraphs.

23 362. A law or policy “targeting religious beliefs as such is never  
24 permissible.” *Lukumi*, 508 U.S. at 533.

25 363. Defendants targeted Plaintiffs' Jewish religious beliefs and  
26 practices for special disfavor in violation of the Free Exercise Clause.

27 364. As a result of Defendants' actions, Plaintiffs have been injured  
28 by losing access to educational opportunities, losing access to library and

1 classroom facilities, losing in-person learning opportunities, losing the  
2 ability to prepare for exams, being denied equal participation in the life  
3 of the university, suffering emotional and physical stress that has  
4 diverted time, attention, and focus from study, and by other harms.

5 365. As a direct and proximate result of Defendants' actions, Plaintiffs  
6 have suffered harm in the form of both general and special damages in  
7 an amount to be determined at trial, including but not limited to  
8 compensatory damages, punitive damages, and pre-judgment and post-  
9 judgment interest.

10 366. Absent injunctive and declaratory relief against Defendants,  
11 Plaintiffs will continue to be harmed by Defendants' actions.

12 **Count VI**  
13 **42 U.S.C. § 2000d et. seq.**  
14 **Title VI of the Civil Rights Act of 1964**

15 367. Plaintiffs incorporate by reference the allegations set forth in the  
16 preceding paragraphs.

17 368. Title VI provides that “[n]o person in the United States shall, on  
18 the ground of race, color, or national origin, be excluded from  
19 participation in, be denied the benefits of, or be subjected to  
20 discrimination under any program or activity receiving Federal financial  
21 assistance.” 42 U.S.C. § 2000d.

22 369. UCLA receives financial assistance from the United States  
23 Department of Education and is therefore subject to suit under Title VI  
24 of the Civil Rights Act of 1964.

25 370. Discrimination against Jews—including based on actual or  
26 perceived ancestry, race, ethnic characteristics, or national origin—is  
27 prohibited under Title VI. *Cf. Shaare Tefila*, 481 U.S. at 616  
28

1 (discrimination against Jews is discrimination based on race); *see also* 34  
2 C.F.R. § 100.3(b)(1)(iv), (vi).

3 371. Defendants excluded Plaintiffs from participation in UCLA  
4 programs, denied Plaintiffs the full benefits of UCLA programs, and  
5 subjected Plaintiffs to discrimination, all in violation of Title VI.

6 372. As a result of Defendants' actions, Plaintiffs have been injured  
7 by losing access to educational opportunities, losing access to library and  
8 classroom facilities, losing in-person learning opportunities, losing the  
9 ability to prepare for exams, being denied equal participation in the life  
10 of the university, suffering emotional and physical stress that has  
11 diverted time, attention, and focus from study, and by other harms.

12 373. As a direct and proximate result of Defendants' actions, Plaintiffs  
13 have suffered harm in the form of both general and special damages in  
14 an amount to be determined at trial, including but not limited to  
15 compensatory damages, punitive damages, and pre-judgment and post-  
16 judgment interest.

17 374. Absent injunctive and declaratory relief against Defendants,  
18 Plaintiffs will continue to be harmed by Defendants' actions.

19 **Count VII**  
20 **42 U.S.C. § 1985**  
21 **Conspiracy to Interfere with Civil Rights**

22 375. Plaintiffs incorporate by reference the allegations set forth in the  
23 preceding paragraphs.

24 376. Section 1985 of the Ku Klux Klan Act provides that “[i]f two or  
25 more persons in any State or Territory conspire or go in disguise on the  
26 highway or on the premises of another, for the purpose of depriving,  
27 either directly or indirectly, any person or class of persons of the equal  
28 protection of the laws, or of equal privileges and immunities under the

1 laws ... the party so injured or deprived may have an action for the  
2 recovery of damages occasioned by such injury or deprivation, against  
3 any one or more of the conspirators.” 42 U.S.C. § 1985(3).

4 377. Defendants conspired both among themselves and with the  
5 others for the purpose of depriving Plaintiffs of their constitutional rights  
6 and equal protection under the law, specifically access to all parts of the  
7 UCLA campus equal to the access enjoyed by others.

8 378. As a result of Defendants’ actions, Plaintiffs have been injured  
9 by losing access to educational opportunities, losing access to library and  
10 classroom facilities, losing in-person learning opportunities, losing the  
11 ability to prepare for exams, being denied equal participation in the life  
12 of the university, suffering emotional and physical stress that has  
13 diverted time, attention, and focus from study, and by other harms.

14 379. As a direct and proximate result of Defendants’ actions, Plaintiffs  
15 have suffered harm in the form of both general and special damages in  
16 an amount to be determined at trial, including but not limited to  
17 compensatory damages, punitive damages, and pre-judgment and post-  
18 judgment interest.

19 380. Absent injunctive and declaratory relief against Defendants,  
20 Plaintiffs will continue to be harmed by Defendants’ actions.

21 **Count VIII**

22 **42 U.S.C. § 1986**

23 **Failure to Prevent Conspiracy**

24 381. Plaintiffs incorporate by reference the allegations set forth in the  
25 preceding paragraphs.

26 382. Section 1986 of the Ku Klux Klan Act provides “[e]very person  
27 who, having knowledge that any of the wrongs conspired to be done, and  
28 mentioned in section 1985 ... , are about to be committed, and having

1 power to prevent or aid in preventing the commission of the same,  
2 neglects or refuses so to do, if such wrongful act be committed, shall be  
3 liable to the party injured, or his legal representatives, for all damages  
4 caused by such wrongful act, which such person by reasonable diligence  
5 could have prevented.” 42 U.S.C. § 1986.

6 383. Section 1986 is, in other words, “derivative of § 1985 violations”  
7 and holds liable anyone who “knew of a § 1985 conspiracy and, having  
8 the power to prevent or aid in preventing the implementation of the  
9 conspiracy, neglected to do so.” *Park v. City of Atlanta*, 120 F.3d 1157,  
10 1160 (11th Cir. 1997). The statute does not require the individual to have  
11 “participated in the conspiracy or shared in the discriminatory animus  
12 with members of the conspiracy.” *Id.*

13 384. Defendants knew of a conspiracy to deprive Plaintiffs of their  
14 civil rights.

15 385. Although Defendants had the power to prevent or aid in  
16 preventing the implementation of the conspiracy, Defendants neglected  
17 to do so in violation of Section 1986.

18 386. As a result of Defendants’ actions, Plaintiffs have been injured  
19 by losing access to educational opportunities, losing access to library and  
20 classroom facilities, losing in-person learning opportunities, losing the  
21 ability to prepare for exams, being denied equal participation in the life  
22 of the university, suffering emotional and physical stress that has  
23 diverted time, attention, and focus from study, and by other harms.

24 387. As a direct and proximate result of Defendants’ actions, Plaintiffs  
25 have suffered harm in the form of both general and special damages in  
26 an amount to be determined at trial, including but not limited to  
27 compensatory damages, punitive damages, and pre-judgment and post-  
28 judgment interest.

1 388. Absent injunctive and declaratory relief against Defendants,  
2 Plaintiffs will continue to be harmed by Defendants' actions.

3 **Count IX**  
4 **California Constitution Art. I, § 7(a)**  
5 **Equal Protection Clause**

6 389. Plaintiffs incorporate by reference the allegations set forth in the  
7 preceding paragraphs.

8 390. Under California's Equal Protection Clause, "[a] person may not  
9 be ... denied equal protection of the laws." Cal. Const. art. 1, § 7(a). The  
10 Clause prohibits discrimination based on race, ethnicity, and religion.

11 391. Defendants have deprived Plaintiffs of equal protection of the  
12 laws, as secured by the California Constitution, through policies and  
13 practices that treat Plaintiffs differently than similarly situated  
14 individuals because Plaintiffs are Jewish.

15 392. Defendants furthered no legitimate or compelling state interest  
16 by engaging in this conduct.

17 393. Defendants failed to tailor their actions narrowly to serve any  
18 such interest.

19 394. As a result of Defendants' actions, Plaintiffs have been injured  
20 by losing access to educational opportunities, losing access to library and  
21 classroom facilities, losing in-person learning opportunities, losing the  
22 ability to prepare for exams, being denied equal participation in the life  
23 of the university, suffering emotional and physical stress that has  
24 diverted time, attention, and focus from study, and by other harms.

25 395. As a direct and proximate result of Defendants' actions, Plaintiffs  
26 have suffered harm in the form of both general and special damages in  
27 an amount to be determined at trial, including but not limited to  
28

1 compensatory damages, punitive damages, and pre-judgment and post-  
2 judgment interest.

3 396. Absent injunctive and declaratory relief against Defendants,  
4 Plaintiffs will continue to be harmed by Defendants' actions.

5 **Count X**  
6 **California Constitution Art. I, § 4**  
7 **Free Exercise Clause**

8 397. Plaintiffs incorporate by reference the allegations set forth in the  
9 preceding paragraphs.

10 398. The California Constitution guarantees "[f]ree exercise and  
11 enjoyment of religion without discrimination or preference." Cal. Const.  
12 art. I, § 4.

13 399. Defendants have deprived Plaintiffs of the free exercise and  
14 enjoyment of religion without discrimination or preference, as secured by  
15 the California Constitution, through a policy and practice that treats  
16 Plaintiffs differently than similarly situated non-Jewish individuals  
17 because Plaintiffs are Jewish.

18 400. Defendants furthered no legitimate or compelling state interest  
19 by engaging in this conduct.

20 401. Defendants failed to tailor their actions narrowly to serve any  
21 such interest.

22 402. As a result of Defendants' actions, Plaintiffs have been injured  
23 by losing access to educational opportunities, losing access to library and  
24 classroom facilities, losing in-person learning opportunities, losing the  
25 ability to prepare for exams, being denied equal participation in the life  
26 of the university, suffering emotional and physical stress that has  
27 diverted time, attention, and focus from study, and by other harms.

28 403. As a direct and proximate result of Defendants' actions, Plaintiffs

1 have suffered harm in the form of both general and special damages in  
2 an amount to be determined at trial, including but not limited to  
3 compensatory damages, punitive damages, and pre-judgment and post-  
4 judgment interest.

5 404. Absent injunctive and declaratory relief against Defendants,  
6 Plaintiffs will continue to be harmed by Defendants' actions.

7 **Count XI**  
8 **Cal. Educ. Code § 220**  
9 **Prohibition of Discrimination**

10 405. Plaintiffs incorporate by reference the allegations set forth in the  
11 preceding paragraphs.

12 406. Section 220 of the California Education Code provides that “[n]o  
13 person shall be subjected to discrimination on the basis of ... race or  
14 ethnicity ... in any program or activity conducted by an educational  
15 institution that receives, or benefits from, state financial assistance, or  
16 enrolls pupils who receive state student financial aid.” Cal. Educ. Code  
17 § 220.

18 407. UCLA both receives state financial assistance and enrolls pupils  
19 who receive state student financial aid and is therefore subject to suit  
20 under Section 220.

21 408. Section 220—as part of its prohibition of race discrimination—  
22 prohibits discrimination against Jews. *See* Cal. Educ. Code § 201(g) (“It  
23 is the intent of the Legislature that this chapter shall be interpreted as  
24 consistent with ... Title VI of the federal Civil Rights Act of 1964 ...”);  
25 *Shaare Tefila*, 481 U.S. at 616 (discrimination against Jews is  
26 discrimination based on race).



1 409. Defendants subjected Plaintiffs to discrimination on the basis of  
2 Plaintiffs' race or ethnicity in violation of California Education Code  
3 § 220.

4 410. Defendants furthered no legitimate or compelling state interest  
5 by engaging in this conduct.

6 411. Defendants failed to tailor their actions narrowly to serve any  
7 such interest.

8 412. As a result of Defendants' actions, Plaintiffs have been injured  
9 by losing access to educational opportunities, losing access to library and  
10 classroom facilities, losing in-person learning opportunities, losing the  
11 ability to prepare for exams, being denied equal participation in the life  
12 of the university, suffering emotional and physical stress that has  
13 diverted time, attention, and focus from study, and by other harms.

14 413. As a direct and proximate result of Defendants' actions, Plaintiffs  
15 have suffered harm in the form of both general and special damages in  
16 an amount to be determined at trial, including but not limited to  
17 compensatory damages, punitive damages, and pre-judgment and post-  
18 judgment interest.

19 414. Absent injunctive and declaratory relief against Defendants,  
20 Plaintiffs will continue to be harmed by Defendants' actions.

21 **Count XII**  
22 **Cal. Civil Code § 51.7**  
23 **Ralph Civil Rights Act of 1976**

24 415. Plaintiffs incorporate by reference the allegations set forth in the  
25 preceding paragraphs.

26 416. The Ralph Civil Rights Act of 1976 provides that "[a]ll persons  
27 within the jurisdiction of this state have the right to be free from any  
28 violence, or intimidation by threat of violence, committed against their

1 persons or property because of” race or ethnicity. Cal. Civ. Code  
2 § 51.7(b)(1).

3 417. Defendants allowed activists to harass, threaten, and assault  
4 Plaintiffs because of their Jewish identity in violation of the Ralph Civil  
5 Rights Act.

6 418. Defendants furthered no legitimate or compelling state interest  
7 by engaging in this conduct.

8 419. Defendants failed to tailor their actions narrowly to serve any  
9 such interest.

10 420. As a result of Defendants’ actions, Plaintiffs have been injured  
11 by losing access to educational opportunities, losing access to library and  
12 classroom facilities, losing in-person learning opportunities, losing the  
13 ability to prepare for exams, being denied equal participation in the life  
14 of the university, suffering emotional and physical stress that has  
15 diverted time, attention, and focus from study, and by other harms.

16 421. As a direct and proximate result of Defendants’ actions, Plaintiffs  
17 have suffered harm in the form of both general and special damages in  
18 an amount to be determined at trial, including but not limited to  
19 compensatory damages, punitive damages, and pre-judgment and post-  
20 judgment interest.

21 422. Absent injunctive and declaratory relief against Defendants,  
22 Plaintiffs will continue to be harmed by Defendants’ actions.

23 **Count XIII**  
24 **Cal. Civil Code § 52.1**  
25 **Tom Bane Civil Rights Act**

26 423. Plaintiffs incorporate by reference the allegations set forth in the  
27 preceding paragraphs.

28 424. The Tom Bane Civil Rights Act provides a right of action against

1 any “person or persons, whether or not acting under color of law, [who]  
2 interferes by threat, intimidation, or coercion, or attempts to interfere by  
3 threat, intimidation, or coercion, with the exercise or enjoyment by any  
4 individual or individuals of rights secured by the Constitution or laws of  
5 the United States, or of the rights secured by the Constitution or laws of  
6 [California].” Cal. Civil Code § 52.1(b).

7 425. Defendants interfered by threat, intimidation, or coercion, with  
8 Plaintiffs’ exercise or enjoyment of rights secured by the Constitution or  
9 laws of the United States and rights secured by the Constitution or laws  
10 of California.

11 426. Defendants furthered no legitimate or compelling state interest  
12 by engaging in this conduct.

13 427. Defendants failed to tailor their actions narrowly to serve any  
14 such interest.

15 428. As a result of Defendants’ actions, Plaintiffs have been injured  
16 by losing access to educational opportunities, losing access to library and  
17 classroom facilities, losing in-person learning opportunities, losing the  
18 ability to prepare for exams, being denied equal participation in the life  
19 of the university, suffering emotional and physical stress that has  
20 diverted time, attention, and focus from study, and by other harms.

21 429. As a direct and proximate result of Defendants’ actions, Plaintiffs  
22 have suffered harm in the form of both general and special damages in  
23 an amount to be determined at trial, including but not limited to  
24 compensatory damages, punitive damages, and pre-judgment and post-  
25 judgment interest.

26 430. Absent injunctive and declaratory relief against Defendants,  
27 Plaintiffs will continue to be harmed by Defendants’ actions.

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**PRAYER FOR RELIEF**

Wherefore, Plaintiffs respectfully request that the Court:

- a. Declare that Defendants have violated the First and Fourteenth Amendments to the United States Constitution, Title VI of the Civil Rights Act of 1964, Sections 1983, 1985, and 1986 of the Ku Klux Klan Act, the California Constitution, the California Education Code, the Ralph Civil Rights Act of 1976, and the Tom Bane Civil Rights Act;
- b. Issue preliminary and permanent injunctive relief prohibiting Defendants' unequal treatment of Plaintiffs in violation of Plaintiffs' constitutional and statutory rights;
- c. Award Plaintiffs compensatory, punitive, and nominal damages for the loss of their rights under federal and state law;
- d. Award Plaintiffs the costs of this action and reasonable attorneys' fees; and
- e. Award such other and further relief as the Court deems equitable and just.

**JURY DEMAND**

Plaintiffs request a trial by jury on all issues so triable.

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Dated: June 5, 2024          Respectfully submitted,

/s/ Eric C. Rassbach  
Eric C. Rassbach (CA SBN 288041)  
Mark L. Rienzi (DC Bar No. 494336)\*  
Laura Wolk Slavis (DC Bar No. 1643193)\*  
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*Attorneys for Plaintiffs*

\* *pro hac vice* application forthcoming

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7 *Attorneys for Proposed Amicus Daniel Solomon*

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF ORANGE

10 THE REGENTS OF THE UNIVERSITY OF  
11 CALIFORNIA,

12 *Plaintiff,*

13 v.

14 INTERNATIONAL UNION, UNITED  
15 AUTOMOBILE, AEROSPACE AND  
16 AGRICULTURAL IMPLEMENT WORKERS OF  
17 AMERICA, AFL-CIO, LOCAL UNION 4811; and  
18 DOES 1 through 30, inclusive,

19 *Defendants.*

Case No. 30-2024-01403666-CU-MC-CXC

**DECLARATION OF NEVILLE S. HEDLEY**

**DATE:** June 27, 2024

**TIME:** 10:00 p.m.

**Dept.:** CX105

**Judge:** Hon. Randall J. Sherman

1 I, Neville S. Hedley, hereby declare:

- 2 1. I make this declaration based on my own personal knowledge and if called upon to testify could and  
3 would do so competently as follows:
- 4 2. I am an attorney with the Hamilton Lincoln Law Institute, a public interest law firm, and I have been  
5 employed by the firm since September of 2021.
- 6 3. I am counsel for the proposed amicus Daniel Solomon in the above captioned case.
- 7 4. My client hereby applies for leave of the court to file the attached proposed Amicus Curiae Brief in  
8 support of granting the preliminary injunction against the defendants.
- 9 5. My firm researched the procedures to file an amicus brief in California Superior Court, but there are  
10 no specific rules regarding submission of such briefs. Research, however, indicated that individuals or  
11 organizations interested in filing amicus briefs with the Superior Court should adhere to California  
12 Court Rule 8.200 for filing amicus briefs and file an application along with the proposed amicus brief.
- 13 6. On Wednesday June 12, 2024, I contact the clerk of the court to inquire if following the procedures  
14 and rules for ex parte filings would be the appropriate method for filing the proposed amicus brief and  
15 the clerk confirmed that this was course to pursue.
- 16 7. On June 12, 2024 around 10:30 a.m. Pacific time, pursuant to Rule 3.1203 and the local ex parte  
17 procedures, I called counsel for both the plaintiffs and defendants. I was able to leave voicemails for  
18 counsel for the plaintiffs, but my call to defense counsel was unanswered and no voicemail or message  
19 option was provided. Around 11:00 a.m. Pacific time, I emailed counsel for the plaintiffs and the  
20 defendants and informed them that I would be filing an ex parte application for leave to file an amicus  
21 brief on June 12, 2024, and that I intended to appear before the court on Friday June 14, 2024 at 1:30  
22 p.m. to argue the application. Outside counsel for plaintiffs called me at approximately 11:15 Pacific  
23 time and indicated that he would need to consult with his client before responding. As of the time of  
24 filing I had not heard back from plaintiffs' counsel and counsel for defendants never responded.
- 25 8. Both counsel for plaintiffs and defendants are aware of proposed amicus Solomon's interest in the case  
26 because my firm filed with the Public Employee Relations Board (PERB) a similar brief when this  
27 matter was before that state agency. PERB rejected the filing because PERB procedures only permit  
28 informational briefs at formal hearing stages and the matter had not been set for a formal hearing.

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I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct to the best of my knowledge and belief. Executed this 12th day of June, 2024, in Charlotte, North Carolina.

Dated: June 12, 2024

Respectfully submitted,

/s/ Neville Hedley

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5 *Attorneys for Proposed Amicus Daniel Solomon*

6  
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA

8 COUNTY OF ORANGE

9 THE REGENTS OF THE UNIVERSITY OF  
10 CALIFORNIA,

11 *Plaintiff,*

12 v.

13 INTERNATIONAL UNION, UNITED  
14 AUTOMOBILE, AEROSPACE AND  
15 AGRICULTURAL IMPLEMENT WORKERS OF  
16 AMERICA, AFL-CIO, LOCAL UNION 4811; and  
DOES 1 through 30, inclusive,

17 *Defendants.*

Case No. 30-2024-01403666-CU-MC-CXC

**[PROPOSED] ORDER ON *AMICUS CURIAE*  
DANIEL SOLOMON'S *EX PARTE*  
APPLICATION FOR LEAVE TO FILE  
*AMICUS* BRIEF IN SUPPORT OF  
GRANTING PRELIMINARY INJUNCTION**

**DATE:** June 27, 2024

**TIME:** 10:00 a.m.

**Dept.:** CX105

**Judge:** Hon. Randall J. Sherman

18  
19 The *Ex Parte* Application of Proposed *Amicus* Daniel Solomon was filed before this Court on June 12,  
20 2024. Having read the application, the proposed *amicus* brief and having heard from the parties counsel of  
21 record, the Court finds that good cause has been shown to grant Solomon's *Ex Parte* application. Solomon  
22 brings a different but important perspective to the issues at stake in this litigation and specifically the Court's  
23 preliminary injunction decision, and it is clear from his papers that the Court will benefit from his thorough  
24 and informed argument.

25 **THEREFORE, IT IS ORDERED,**

26 1. That pursuant to Cal. Code Civ. P. § 128 and with reference to Rule of Court 8.200(c), the  
27 *amicus* brief of Daniel Solomon, shall be filed in this Court.  
28

Case No. 30-2024-01403666-CU-MC-CXC

[PROPOSED] ORDER ON *AMICUS CURIAE* DANIEL SOLOMON'S *EX PARTE* APPLICATION FOR  
LEAVE TO FILE *AMICUS* BRIEF IN SUPPORT OF GRANTING PRELIMINARY INJUNCTION

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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