

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Young Americans for Liberty at University of
Massachusetts, Amherst; and Nicholas Consolini,

Plaintiffs,

v.

Robert J. Manning, R. Norman Peters, James R.
Buonomo, Mary L. Burns, Derek J. Dunlea, Robert
Epstein, David G. Fubini, Maria D. Furman, Stephen R.
Karam, Gray R. Milkowski, Michael V. O'Brien, Kerri
E. Osterhaus-Houle, Imari K. Paris Jeffries, James A.
Peysner, Malinda E. Reed, Samantha E. Reid, Elizabeth
D. Scheibel, Henry M. Thomas III, Steven A. Tolman,
Victor Woolridge, Charles F. Wu, and Camilla D. Yu,
each in their individual capacity and in their official
capacities as members of the Board of Trustees of the
University of Massachusetts; Marty Meehan,
individually and in his official capacity as President of
the University of Massachusetts; Kumble R.
Subbaswamy, individually and in his official capacity as
Chancellor, University of Massachusetts Amherst; and
Enku Gelaye, individually and in her official capacity as
Vice Chancellor for Student Affairs and Campus Life,
University of Massachusetts Amherst,

Defendants.

No. 3:18-cv-30003-MGM

**JOINT MOTION FOR
EXTENSION OF TIME TO RESPOND TO THE PLAINTIFFS' COMPLAINT**

The parties hereby move, jointly, for an extension of time for the Defendants to respond to the Complaint from March 16, 2018, to May 16, 2018, while they work toward an agreed resolution. As grounds therefore, the parties state:

1. The Plaintiffs allege that Section III.A.9.b of the University of Massachusetts ("University") Regulations for Use of Property (UMass Policy T90-079, Dkt. #1-2) is unconstitutional.

2. The Defendants are prepared to move to dismiss the Complaint on numerous grounds, including the lack of standing, ripeness, a failure to state a claim, and qualified immunity. The Plaintiffs are prepared to oppose that motion. The parties, however, are hopeful that the dispute can be resolved without the cost and time of further litigation and without prejudice to either party.

3. Neither Defendant Gelaye, in her official capacity as Vice Chancellor for Student Affairs and Campus Life at the University of Massachusetts, Amherst nor her office will sanction or deny anyone an opportunity to hold a speech or rally under the provisions of Section III.A.9.b of the University Regulations for Use of Property (Doc. T90-079).

4. The University's Faculty Senate and Student Government Association are developing a proposal for revisions to the Regulations for Use of Property. It is expected that they will send a proposal to Chancellor Subbaswamy.

5. By May 11, 2018, Chancellor Subbaswamy will propose to the appropriate committee of the University's Board of Trustees a revision of the Regulations for Use of Property that eliminates the current Section III.A.9.b and does not replace it with a substantively similar provision.

6. The Board of Trustees is scheduled to meet on June 20, 2018, and would be expected to vote on the proposal at that time. As a result, the parties may move for a further extension from May 16, 2018, until a date on or after June 20, 2018.

Respectfully submitted,

The Defendants

By their Attorney
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ATTORNEY GENERAL

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The Plaintiffs

By their Attorneys

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DATED: March 16, 2018

CERTIFICATE OF SERVICE

I, Andrew Batchelor, Assistant Attorney General, hereby certify that on March 16, 2018, I served the foregoing upon all parties, by electronically filing to all ECF registered parties.

/s/ Andrew Batchelor
Andrew Batchelor