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9 Attorneys for Defendants, THE REGENTS OF
THE UNIVERSITY OF CALIFORNIA, et al.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION
12

13 THE LOUIS D. BRANDEIS CENTER, INC.;
14 JEWISH AMERICANS FOR FAIRNESS IN
EDUCATION (JAFE),

15 Plaintiffs,

16 vs.

17 REGENTS OF THE UNIVERSITY OF
18 CALIFORNIA; UNIVERSITY OF
CALIFORNIA AT BERKELEY; BERKELEY
19 SCHOOL OF LAW; MICHAEL DRAKE, in
his official capacity as President of the
20 University of California; CAROL T. CHRIST,
in her official capacity as Chancellor of the
21 University of California, Berkeley; BEN
HERMALIN, in his official capacity as
22 Provost of the University of California,

23 Defendants.
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Case No. 3:23-cv-06133-JD

**DECLARATION OF BRYAN H.
HECKENLIVELY IN SUPPORT OF THE
PARTIES' STIPULATED JOINT
REQUEST FOR ORDER EXTENDING
DEADLINES REGARDING
DEFENDANTS' MOTION TO DISMISS**

1 I, Bryan H. Heckenlively, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and a Partner at the law
3 firm of Munger, Tolles & Olson, LLP. I am counsel for Defendants in the above-captioned
4 matter.

5 2. I make this Declaration pursuant to Civil L.R. 6-2(a) and in support of the parties' joint
6 stipulated request to extend time in this case, submitted concurrently with this Declaration.

7 3. Civil L.R. 6-2(a) states that when a stipulated request for an order changing time would
8 "extend time frames set in the Local Rules," the stipulated request "must be accompanied by a
9 declaration that: (1) Sets forth with particularity the reasons for the requested enlargement or
10 shortening of time; (2) Discloses all previous time modifications in the case, whether by
11 stipulation or Court order; and (3) Describes the effect the requested time modification would have
12 on the schedule for the case."

13 4. The reason for the requested enlarging of time is that the parties previously stipulated to
14 an extension of time for Defendants to answer or otherwise respond to Plaintiffs' Complaint.
15 (Dkt. 39). In light of that stipulation, the parties jointly agreed at that time that they would
16 stipulate to a briefing schedule regarding Defendants' Motion to Dismiss that was convenient to
17 all parties and would allow Plaintiffs an additional fourteen days to oppose the motion to dismiss.
18 The parties then met and conferred and jointly agreed to allow Plaintiffs a fourteen-day extension
19 for their opposition, and to allow Defendants' a seven-day extension for their reply.

20 5. There have been two previous time modifications in this case. On December 20, 2023,
21 the parties jointly stipulated (Dkt. 36), pursuant to Civil L.R. 6-1, to extend Defendants' deadline
22 to answer or otherwise respond to Plaintiffs' Complaint until January 22, 2024. On January 17,
23 2024, the parties jointly stipulated (Dkt. 39), pursuant to Civil L.R. 6-1, to extend Defendants'
24 deadline to answer or otherwise respond to Plaintiffs' Complaint until February 5, 2024.

25 6. The request for enlarging of time would have no effect on the schedule for the case,
26 which has not yet been set.

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7. David Carroll, counsel for Plaintiffs in this matter, has informed me that he agrees with the foregoing and concurs in the filing of this Declaration in support of Plaintiffs’ and Defendants’ Stipulated Joint Request for Order Extending Time.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

DATED: February 2, 2024

MUNGER, TOLLES & OLSON LLP

By: /s/ Bryan H. Heckenlively
BRYAN H. HECKENLIVELY
Attorney for Defendants

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FILER'S ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I certify that all persons on whose behalf the filing is submitted concur in this filing's content and have authorized this filing.

By: /s/ Bryan H. Heckenlively
BRYAN H. HECKENLIVELY
Attorney for Defendants