

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ALEXANDER KESTENBAUM and
STUDENTS AGAINST ANTISEMITISM,
INC.,

Plaintiffs,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,

Defendant.

Case No. 1:24-cv-10092-RGS

**DECLARATION OF FELICIA ELLSWORTH IN SUPPORT OF DEFENDANT'S
REPLY IN SUPPORT OF MOTION TO DISMISS AND STRIKE**

I, Felicia Ellsworth, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner at Wilmer Cutler Pickering Hale and Dorr LLP. I represent Defendant the President and Fellows of Harvard College in the above-captioned action. I am familiar with the facts set forth in this declaration. I am competent and willing to testify to the matters contained in this declaration.

2. I submit this declaration in support of Harvard's Reply in Support of Motion to Dismiss and Strike Plaintiffs' Amended Complaint.

3. Attached as **Exhibit 1** is a true and correct copy of the April 29, 2024, *Harvard Crimson* article, *More Than 30 Students To Appear Before Harvard College Ad Board For Pro-Palestine Yard Encampment*, found at <https://www.thecrimson.com/article/2024/4/29/more-than-30-protesters-ad-boarded/>.

4. Attached as **Exhibit 2** is a true and correct copy of the May 6, 2024, statement of Interim President Alan Garber, *Encampment in Harvard Yard*, found at <https://www.harvard.edu/president/news/2024/encampment-in-harvard-yard/>.

5. Attached as **Exhibit 3** is a true and correct copy of the May 4, 2024, *Harvard Crimson* article, *Harvard Employee Fired Following Online Heated Exchange With Jewish Student*, found at <https://www.thecrimson.com/article/2024/5/4/gus-espada-fired-ealc/>.

6. Attached as **Exhibit 4** is a true and correct copy of the May 6, 2024, *Harvard Crimson* article, *HUPD 'Far More Vigilant' on Campus Amid Increased Threats Against Students Following Oct. 7*, found at <https://www.thecrimson.com/article/2024/5/6/HUPD-increases-presence-israel-palestine/>.

7. Attached as **Exhibit 5** is a true and correct copy of the May 1, 2024, *Mass Live* article, *Harvard says pro-Palestinian encampment is in 'direct violation' of policy*, found at <https://www.masslive.com/news/2024/05/harvard-says-pro-palestinian-encampment-is-in-direct-violation-of-policy.html>.

8. Attached as **Exhibit 6** is a true and correct copy of the April 23, 2024, *Harvard Crimson* article, *Harvard Suspends Palestine Solidarity Committee Amid Wave of Protests on College Campuses*, found at <https://www.thecrimson.com/article/2024/4/23/harvard-psc-suspended/>.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Signed this 6th day of May 2024 under the pains and penalties of perjury.

/s/ Felicia Ellsworth
Felicia Ellsworth