

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MARGARET CZERWIENSKI,  
LILIA KILBURN, and AMULYA  
MANDAVA

*Plaintiffs,*

v.

HARVARD UNIVERSITY AND THE  
PRESIDENT AND FELLOWS OF  
HARVARD COLLEGE

*Defendants.*

Case No. 1:22-cv-10202-JGD

**DEFENDANT’S ASSENTED-TO MOTION TO AMEND SCHEDULING ORDER**

Defendant President and Fellows of Harvard College (“Harvard”),<sup>1</sup> with the assent of counsel for the Plaintiffs, respectfully moves this Court to amend the scheduling order in this case to permit Harvard one additional week, through and including July 19, 2022, to file a response to Plaintiffs’ Amended Complaint, and to permit Plaintiffs until August 23, 2022, to file any opposition.

In support hereof, Harvard states:

1. Plaintiffs filed the initial Complaint in this matter on February 8, 2022. Dkt. No. 1.
2. On May 31, 2022, Harvard filed a Motion to Dismiss Count One Through Nine of the Complaint, and a Motion for Summary Judgment on Count Ten of the Complaint. Dkt. Nos. 19, 20, 24, 25.
3. On June 21, 2022, Plaintiffs filed an Amended Complaint. Dkt. No. 35.

---

<sup>1</sup> Harvard University is not a proper Defendant in this action, as it is not a corporate entity independent of President and Fellows of Harvard College.

4. Plaintiffs' Amended Complaint is 89 pages long, contains 337 numbered paragraphs, and sets forth many novel factual allegations and changes from Plaintiffs' original Complaint.

5. Harvard's response to the Amended Complaint is currently due on July 12, 2022. Dkt. No. 34.

6. Defendant submits that a one-week extension of time will enable it to adequately analyze and respond to the Amended Complaint, and to set before the Court the relevant legal issues for resolution.

7. The undersigned has conferred with counsel for the Plaintiffs concerning the relief sought herein and Plaintiffs' counsel has indicated that Plaintiffs agree to the extension, provided that the scheduling order is amended to permit them until August 23, 2022 to file any opposition.

8. In addition, because Plaintiffs have altered Count Ten of their Complaint, Harvard plans to file an amended memorandum in support of its Motion for Summary Judgment at the same time that it files its Motion to Dismiss.

9. Accordingly, the parties agree that Plaintiffs need not file a response to the currently-pending Motion for Summary Judgment until August 23, 2022.

10. There is good cause to grant an extension of time because it is not sought for the purposes of delay, nor, if granted, will it result in prejudice to any of the parties.

WHEREFORE, Harvard respectfully requests that this Court grant this Motion and amend the scheduling order so that the relevant pleading deadlines are:

- a. Harvard may file its responsive pleadings on or before July 19, 2022; and

- b. Plaintiffs may file their opposition to those pleadings on or before August 23, 2022.

Respectfully submitted,

**PRESIDENT AND FELLOWS OF  
HARVARD COLLEGE,**

By its attorneys,

/s/ Victoria L. Steinberg

---

Victoria L. Steinberg, BBO #666482  
Julien M. Mundele, BBO #694001  
Rachel C. Hutchinson, BBO #696739  
Rebecca M. O'Brien, BBO #693592  
TODD & WELD LLP  
One Federal Street  
Boston, MA 02110  
Telephone: (617) 624-4714  
Facsimile: (617) 624-4814  
vsteinberg@toddweld.com  
jmundele@toddweld.com  
rhutchinson@toddweld.com  
robrien@toddweld.com

Martin F. Murphy, BBO #363250  
Madeleine K. Rodriguez, BBO #684394  
FOLEY HOAG LLP  
155 Seaport Boulevard, Suite 1600  
Boston, MA 02210  
Telephone: (617) 832-1000  
Facsimile: (617) 832-7000  
mmurphy@foleyhoag.com  
mrodriguez@foleyhoag.com

*Attorneys for Defendants,  
Harvard University and President and  
Fellows of Harvard College*

Dated: July 6, 2022

**LOCAL RULE 7.1 CERTIFICATION**

I hereby certify that, pursuant to Local Rule 7.1(a)(2), I conferred with counsel for Plaintiffs on July 6, 2022. Plaintiffs counsel indicated that Plaintiffs assent to the relief requested herein, but do not waive any procedural or substantive objection to any pleading by Harvard.

/s/ Victoria Steinberg  
Victoria Steinberg

**CERTIFICATE OF SERVICE**

I, Victoria Steinberg, hereby certify that a copy of the foregoing was sent via the Court's electronic filing system and served to all counsel of record on July 6, 2022.

/s/ Victoria Steinberg  
Victoria Steinberg