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## *Strategic Response, Investigations and Litigation in Education*

### Education

Legal challenges confronting colleges and universities can quickly escalate into multidisciplinary matters with significant legal, financial and reputational consequences. We work with educational institutions to develop and execute strategies to defend or advance a position—whether responding to fast-moving events or working over the longer term to craft and implement legislative or regulatory solutions to complex problems.

We have represented numerous education clients in internal, regulatory and congressional investigations. These include investigations of universities' use of research funds, investigations of guaranteed student loan providers, and investigations of nonprofit and for-profit college recruiting and student aid practices.

We have also handled a wide range of offensive and defensive litigation for colleges and universities. In doing so we are mindful that educational institutions have numerous internal and external constituencies—including students, faculty, staff, alumni, donors and parents—that have differing interests and perspectives. We also take into account that litigation involving educational institutions attracts out-sized public attention and often concerns difficult and divisive public policy issues.

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### *Experience*

Secured judgment on all counts for Harvard University in a case challenging its use of race in the undergraduate admissions process following three-week federal bench trial.

Conducted internal reviews for universities facing high-profile matters with legal and reputational risks.

Represented Duke University in litigation by former lacrosse players.

Prevailed in sensitive litigation over claims to art and antiquities in university and museum collections, including a dispute over Persian antiquities.

Represented a coalition of national universities accused by the US Department of Justice of violating antitrust laws in providing scholarships.

Represented the University of Michigan before the US Supreme Court in *Gratz v. Bollinger* and *Grutter v. Bollinger*, which addressed the ability of higher education institutions to consider racial and cultural background in admissions.