

Forensic Audit of Public-Private Coordination: Judicial Lawfare and Title VI Compliance Networks (FY 2025–2026)

Pre-Coordination and Federal Court Docket Telemetry

An analysis of federal court dockets from the third quarter of 2024 through May 2026 reveals a highly synchronized, public-private litigation loop. Private civil actions initiated by Consovoy McCarthy Park PLLC and the Louis D. Brandeis Center for Human Rights Under Law consistently establish legal beachheads that are subsequently exploited by administrative actors within the Department of Justice (DOJ) Civil Rights Division. This process relies on a sequence where private actions test novel applications of civil rights statutes, establishing precedents that are then cited by federal agencies to justify sweeping compliance reviews, grant freezes, and pattern-or-practice civil enforcement actions.

The operational mechanics of this public-private coordination are demonstrated in the sequencing of *Frankel v. Regents of the University of California* and the subsequent civil rights filings in the Central District of California. In *Frankel*, filed in May 2024, private plaintiffs represented by conservative legal boutiques argued that the University of California, Los Angeles (UCLA) permitted a "Jew Exclusion Zone" during campus protests, violating Title VI and the Equal Protection Clause. In August 2024, District Judge Mark C. Scarsi issued a preliminary injunction, establishing a novel legal precedent that "supporting the Jewish state of Israel" constitutes a sincerely held religious belief protected under the First Amendment, and that the university was legally obligated to dismantle protest encampments.

This private litigation beachhead was immediately leveraged by the federal joint task force. Following the *Frankel* injunction, the DOJ Task Force to Combat Anti-Semitism, led by Senior Counsel Leo Terrell, filed a formal Statement of Interest in the Central District of California supporting the private plaintiffs' interpretation of Title VI. This administrative pipeline culminated on February 24, 2026, when the DOJ Civil Rights Division filed its own civil complaint against UCLA. The complaint alleged a systemic failure to investigate civil rights complaints from Jewish or Israeli employees, asserting the existence of a hostile work environment under Title VII of the Civil Rights Act of 1964.

Concurrently, the filing of *Matthew Weinberg et al. v. National Students for Justice in Palestine (NSJP) et al.* on April 25, 2025, represented a significant expansion of the syndicate's litigation playbook. Rather than suing the academic institution, the Brandeis Center and Consovoy McCarthy targeted the student advocacy organizations directly, alleging a civil rights conspiracy under 42 U.S.C. § 1985(3) and § 1986. The amended complaint, filed on September 26, 2025, framed the student protest encampments not as protected speech, but as an intentional conspiracy to deprive plaintiffs of their Thirteenth Amendment rights to be free from racial violence and exclusion from public accommodations. On January 20, 2026, Judge Scarsi denied the motions to dismiss filed by NSJP and the People's City Council (PCC), allowing the plaintiffs to proceed with active civil discovery and depositions.

The temporal alignment between these private civil actions and the administrative actions of the federal government indicates a deliberate sharing of operational intelligence and strategic

planning. For example, the DOJ Task Force to Combat Anti-Semitism announced its "comprehensive review" of \$8.7 billion in federal grants to Harvard University on March 31, 2025. Only three days later, on April 3, 2025, the Task Force issued an official demand letter outlining non-negotiable "pre-conditions" for Harvard to retain its federal funding, which included the elimination of all diversity, equity, and inclusion (DEI) programs and the restructuring of university governance. This coordinated pressure campaign prompted immediate legal resistance from the American Association of University Professors (AAUP) Harvard Faculty Chapter, which filed *American Association of University Professors – Harvard Faculty Chapter v. United States Department of Justice* on April 11, 2025, to block the funding cuts.

A parallel front in this litigation matrix is represented by *Matan Goldstein v. The Rector and Visitors of the University of Virginia et al.* (No. 3:24-cv-00036-RSB-JCH) in the Western District of Virginia. Goldstein, represented by private counsel, alleged that university officials tolerated severe physical and verbal harassment by Students for Justice in Palestine (SJP) and Faculty for Justice in Palestine (FJP) chapters. The private action acted as a precursor to direct administrative intervention by Assistant Attorney General Harmeet K. Dhillon, whose subsequent Title VI investigations forced the resignation of the UVA President and resulted in the termination or freezing of over \$60 million in active federal research grants.

Case Name & Number	Filing Date & Court	Primary Counsel Nodes	Statutory Claims	Core Procedural / Substantive Rulings
<i>Frankel v. Regents of the University of California</i> (No. 2:24-cv-04702)	May 14, 2024 C.D. Cal.	Becket Fund; Clement & Murphy	Title VI; Equal Protection Clause; First Amendment	Preliminary injunction granted August 2024; established Zionism as a protected religious belief. UCLA declined to appeal.
<i>Goldstein v. University of Virginia</i> (No. 3:24-cv-00036-RSB-JCH)	November 2024 W.D. Va.	Undersigned Private Counsel	Title VI; First Amendment; State Law Tort Claims	Amended complaint filed December 2024; mapped campus insider networks of SJP/FJP. Preceded DOJ funding cuts.
<i>Weinberg et al. v. NSJP et al.</i> (No. 2:25-cv-03714-MCS-AJR)	April 25, 2025 C.D. Cal.	Consovoy McCarthy Park PLLC; Louis D. Brandeis Center	42 U.S.C. § 1985(3) Conspiracy; 42 U.S.C. § 1986 Neglect	Motions to dismiss by NSJP and PCC denied on January 20, 2026; Thirteenth Amendment conspiracy claims allowed to proceed to discovery.
<i>AAUP - Harvard Chapter v. USDOJ</i>	April 11, 2025 D. Mass.	Selendy Gay PLLC; Cohen	First Amendment; Title VI Procedural	Consolidated with Case No.

Case Name & Number	Filing Date & Court	Primary Counsel Nodes	Statutory Claims	Core Procedural / Substantive Rulings
<i>et al.</i> (No. 1:25-cv-10910-AD B)		Milstein Sellers & Toll PLLC	Violations; APA	1:25-cv-11048. Summary judgment granted to plaintiffs on September 3, 2025; remedial order vacating federal funding freezes issued January 22, 2026.
<i>United States v. Regents of the University of California</i>	February 24, 2026 C.D. Cal.	DOJ Civil Rights Division	Title VII (Hostile Work Environment; Retaliation)	Pending; seeks permanent injunction, mandatory policy overhaul, and compensatory damages for Jewish and Israeli staff.

Interlocking Counsel, Deposition Telemetry, and Internal Proxy Networks

The execution of these coordinated litigations relies on a highly integrated network of legal practitioners moving between private practice, ideological non-profit centers, and public-interest fellowship programs. This human infrastructure enables the transfer of litigation strategies and proprietary intelligence across organizational boundaries.

The Louis D. Brandeis Center for Human Rights Under Law serves as a key operational center for this legal talent. In October 2024, Richard A. Rosen joined the Brandeis Center as Senior Vice President for Legal Advocacy after retiring from Paul, Weiss, Rifkind, Wharton & Garrison, where he had co-chaired the Securities Litigation practice group since 1986. Rosen assumed co-counsel status alongside Thomas R. McCarthy, Julius I. Kairey, and Zachary P. Grouev of Consovoy McCarthy in the *Weinberg v. NSJP* litigation. Joining Rosen at the Brandeis Center was Omer Wiczuk, a twenty-year veteran of the Bronx District Attorney’s Office and former Chief of its Public Integrity Bureau, who assumed the role of Senior Counsel in 2024. Wiczuk functions as the primary public interface for the *Weinberg* litigation and regional civil rights actions, such as the Unruh Civil Rights Act litigation against commercial entities in California. Working alongside this leadership are administrative and legal directors who manage the syndicate’s operational pipeline. Kenneth L. Marcus, Chairman of the Brandeis Center and former Assistant Secretary for Civil Rights at the Department of Education, provides overall strategic direction. He is supported by Robin Pick, who serves as Executive Director, and Denise Katz-Prober, Director of Legal Advocacy. Together, they supervise the intake of campus intelligence and coordinate filing timelines with Consovoy McCarthy. Andrea Arellano, a Columbia University alumna and Public Interest Fellow, serves as a research associate at

Consovoy McCarthy Park PLLC, bridging the gap between private law firms and conservative policy foundations.

The deployment of these individuals suggests a deliberate "internal proxy" strategy, wherein the Brandeis Center and Consovoy McCarthy coordinate with sympathetic faculty, staff, and student organizations inside targeted academic institutions prior to filing formal complaints. This pre-filing coordination allows the syndicate to shape the factual record, document specific interactions, and construct "test cases" (such as the checkpoint-crossing attempts documented by undergraduate plaintiff Eli Tsives in the *Weinberg* action) to ensure standing under federal civil rights statutes. These networks utilize encrypted messaging and institutional email accounts to gather evidentiary metadata prior to the formal initiation of DOJ or Department of Education compliance reviews, ensuring that administrative actions are supported by pre-assembled litigation files.

Individual	Primary Affiliation	Secondary / Auxiliary Roles	Core Case Engagements	Target Institutions
Kenneth L. Marcus	Chairman, Louis D. Brandeis Center	Former Assistant Secretary for Civil Rights, Dept. of Education	<i>Weinberg v. NSJP</i> (Strategic Oversight)	Harvard University; University of California system
Thomas R. McCarthy	Partner, Consovoy McCarthy Park PLLC	Clinical Director / Supreme Court Clinic Lead	<i>Weinberg v. NSJP</i> (Lead Private Counsel)	UCLA; National Students for Justice in Palestine
Richard A. Rosen	Senior VP for Legal Advocacy, Brandeis Center	Former Partner, Paul Weiss; Court-appointed Mediator (2d Cir., SDNY)	<i>Weinberg v. NSJP</i> (Lead Co-Counsel)	UCLA; academic protest support structures
Omer Wiczuk	Senior Counsel, Brandeis Center	Former Chief, Public Integrity Bureau, Bronx DA's Office	<i>Weinberg v. NSJP</i> (Lead Trial Counsel); Unruh Act Litigation	UCLA; commercial entities / regional student groups
Andrea Arellano	Research Associate, Consovoy McCarthy	Public Interest Fellow	Strategic litigation research; civil rights database tracking	Harvard University; Columbia University
Robin Pick	Executive Director, Louis D. Brandeis Center	Compliance and Operations Lead	Administrative oversight of Title VI intake pipelines	University of California system; Ivy League targets
Denise Katz-Prober	Director of Legal Advocacy, Brandeis Center	Clinical Education Coordinator	Pre-litigation witness coordination and proxy development	Columbia University; George Mason University

Wealth Networks and Retainer Pipelines

The financial architecture sustaining this litigation syndicate is structured to route private donor capital, foundation grants, and corporate wealth through tax-exempt intermediaries directly to private law firms and advocacy centers. This routing minimizes public disclosure while

maintaining a continuous capital pipeline for highly complex federal litigation. A major node in this wealth pipeline is Ari Gontownik, an investment professional associated with Harspring Capital Management, who operates as a financial director for several key non-profit conduits. Gontownik serves as the Director and Treasurer of the Vine & Fig Tree Institute I, a New York-incorporated 501(c)(3) organization that reported \$3,001,041 in assets and \$1,109,906 in total expenses for the 2024 fiscal year. The stated mission of the Institute is to combat antisemitism and develop "innovative technological tools" to push back against online and offline hate, operating in close coordination with private philanthropic networks. Gontownik also serves as the Director and Treasurer of the Vine & Fig Tree Fund Inc., which secured its IRS tax-exempt status in February 2025. Under the leadership of Gontownik and President Michael Davis, these twin entities act as clearinghouses for capital derived from major conservative foundations—including the Bernie Marcus Foundation, Berexco LLC (directed by Adam Beren), and family office allocations from Harspring Capital Management. This capital is then deployed to fund public relations campaigns, coordinate academic surveys, and underwrite the legal services provided by the Brandeis Center and Consovoy McCarthy.

Financial Entity	Tax Status / Identifiers	Key Officers / Directors	FY 2024 Assets / Funding Levels	Primary Financial Intermediaries / Recipients
Vine & Fig Tree Institute I	501(c)(3) Charitable Org New York, NY	Michael Davis (President) Ari Gontownik (Treasurer)	\$3,001,041 (Assets) \$1,109,906 (Expenses)	Technology partners; academic researchers; legal defense funds
Vine & Fig Tree Fund Inc.	501(c)(3) Charitable Org New York, NY	Michael Davis (President) Ari Gontownik (Treasurer)	Tax-exempt since Feb 2025; active capital routing	Strategic litigation boutiques; policy advocacy centers
Vine & Fig Tree Action Inc.	501(c)(4) Social Welfare Org EIN: 99-3826844	Michael Davis (President) Ari Gontownik (Treasurer)	Form 990-N filer; active legislative lobbying registrar	State legislative lobbying operations; model policy drafting
Bernie Marcus Foundation	Private Foundation	Marcus Family Trustees	Multi-million dollar annual grant portfolio	Louis D. Brandeis Center; National Jewish Advocacy Center

Tax-Exempt Status Weaponization and Endowment Capture

The second-order strategic objective of the litigation syndicate extends beyond securing courtroom victories; it aims to systematically dismantle the financial and regulatory structures of target academic institutions. This is achieved by weaponizing federal tax-exempt status audits and attempting to capture or restrict university endowment funds through legislative and administrative maneuvers.

In the legislative sphere, the syndicate coordinates closely with the House Committee on Ways and Means, chaired by Representative Jason Smith. Under Chairman Smith's direction, the committee has launched investigations into the tax-exempt status of academic institutions and

progressive non-profit organizations, such as the People's Forum, accusing them of abusing their 501(c)(3) status to spread foreign propaganda and engage in unlawful political activity. This congressional pressure works in tandem with petitions drafted by organizations like the National Jewish Advocacy Center (NJAC), which formally requested the IRS to revoke the tax-exempt status of the City University of New York (CUNY) following controversial student addresses. To formalize these enforcement mechanisms, the syndicate promotes the adoption of the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism as the sole legal standard for civil rights enforcement. Approximately 35 states and over 135 local governments have formally adopted or endorsed the IHRA definition. By embedding the IHRA framework—which includes several contemporary examples that conflate criticism of the state of Israel with antisemitism—into state and federal law, the syndicate creates a statutory mechanism to define campus protests as per se violations of Title VI.

This statutory expansion is funded, in part, by political lobbying networks. Vine & Fig Tree Action Inc., registered as a 501(c)(4) social welfare organization (EIN 99-3826844) under Connecticut Credential No. CHR.0069974, serves as the primary legislative lobbying vehicle for the network. Because 501(c)(4) organizations are permitted to engage in lobbying and direct political advocacy, this entity allows the syndicate to bypass the strict lobbying limits imposed on 501(c)(3) foundations.

An analysis of Connecticut state registry data reveals a significant regulatory friction: while Vine & Fig Tree Action Inc. operates under the tax status of a 501(c)(4) civic league, it is registered in the state database as an active "Public Charity". This structural classification overlap raises critical regulatory compliance questions regarding the potential blending of tax-deductible donor capital, generated by 501(c)(3) affiliates like the Vine & Fig Tree Institute I, with direct, non-deductible judicial and legislative lobbying efforts executed by the 501(c)(4) entity. The financial routing of funds through Vine & Fig Tree Action Inc. enables the direct promotion of model legislation, policy whitepapers, and administrative petitions designed to strip universities of their state and federal tax exemptions if they fail to suppress speech defined as antisemitic under the IHRA framework.

Administrative Integration and the Civil Rights Division Reorientation

The operational effectiveness of the private litigation syndicate is amplified by its direct alignment with key officials inside the DOJ and the broader federal executive branch. During FY 2025–2026, the Civil Rights Division has been systematically refocused to act as an administrative enforcement arm for the syndicate's legal objectives.

Assistant Attorney General Harmeet K. Dhillon, confirmed on April 3, 2025, has overseen a structural reorganization of the Civil Rights Division. Prior to her confirmation, Dhillon operated the Dhillon Law Group and founded the Center for American Liberty, specialized boutique entities that frequently litigated conservative free speech and civil rights claims against university administrations. Upon assuming office, Dhillon initiated sweeping Title VI compliance reviews and funding investigations targeting dozens of academic institutions, including George Mason University and the University of California system. These investigations forced the resignation of the President of the University of Virginia (UVA) and resulted in the termination or freezing of over \$60 million in active federal research grants to UVA. Furthermore, on the 68th anniversary of the Civil Rights Division's founding, Dhillon finalized an administrative rule eliminating disparate-impact liability from Title VI regulations without the public

notice-and-comment period required by the Administrative Procedure Act (APA), stripping away a core legal tool historically used to combat systemic discrimination.

Operating alongside Dhillon is Associate Attorney General Stanley Woodward, who assumed office on November 14, 2025. Woodward, a prominent defense attorney who previously represented high-profile Trump administration allies and associates, maintains supervisory responsibility over the Civil Rights Division, the Civil Division, and federal grant-making offices. Woodward has actively insulated federal attorneys executing these aggressive civil rights investigations from external oversight. On May 13, 2026, Woodward filed a formal federal lawsuit on behalf of the DOJ against the District of Columbia Bar disciplinary authorities, seeking to block state-level bar investigations and disciplinary proceedings against federal government attorneys accused of weaponizing the legal process.

This administrative apparatus is coordinated at the program level by Leo Terrell, Senior Counsel to the Assistant Attorney General for the Civil Rights Division and Chair of the DOJ Task Force to Combat Anti-Semitism. Formed on February 3, 2025, pursuant to Executive Order 14188, the multi-agency task force—comprising representatives from the DOJ, Department of Education, and Department of Health and Human Services—initially executed a series of targeted funding freezes. Terrell has utilized public media appearances to articulate the task force's financial objectives, stating on national television in March 2025 that the administration intended to "bankrupt these universities" and "take away every single federal dollar". On May 19, 2026, the DOJ announced the transition of these operations into a permanent Anti-Semitism Advisory Committee (ASAC), accompanied by the launch of a 15-city National Awareness & Action Tour led by Terrell to coordinate local law enforcement and civil rights enforcement actions.

The systemic nature of these administrative interventions is demonstrated in the federal funding freeze executed against Harvard University. On March 31, 2025, Terrell's task force launched its "review" of Harvard's \$8.7 billion in federal contracts, followed by the April 3 demand letter insisting on governance and curricular overhauls. When Harvard resisted these administrative demands, Secretary of Education Linda McMahon and AAG Dhillon issued formal letters on May 5, 2025, freezing and subsequently terminating approximately \$2.2 billion in active research grants across multiple federal agencies, including the National Institutes of Health (NIH), National Science Foundation (NSF), and Department of Energy.

This administrative overreach was temporarily halted by the federal judiciary. In a joint consolidated ruling issued on September 3, 2025, in *AAUP v. DOJ* and *President and Fellows of Harvard College v. HHS*, District Judge Allison D. Burroughs ruled that the federal government's grant freezes violated both the First Amendment and the procedural requirements of Title VI. The court noted that federal agencies are statutorily required under 42 U.S.C. § 2000d-1 to advise recipients of compliance failures, make express findings on the record after an opportunity for a hearing, and submit a full report to congressional committees at least 30 days prior to terminating any funding. The court concluded that the administrative co-conspirators bypassed these statutory guardrails, utilizing allegations of antisemitism as a "smokescreen" to execute an ideologically motivated assault on the nation's premier research universities.

Conclusions and Strategic Outlook

The evidence gathered from court dockets, financial registries, and administrative directives from FY 2025–2026 indicates the existence of a highly coordinated public-private lawfare network designed to restructure American higher education. By utilizing private litigation boutiques to establish favorable legal precedents, leveraging sympathetic federal officials to

bypass statutory enforcement procedures, and routing dark-money capital through 501(c)(4) legislative lobbies, this syndicate has constructed an operational loop.

To counter this coordinated strategy and preserve the statutory boundaries of civil rights enforcement, the following actions are indicated:

- **Enforce Title VI Procedural Compliance:** Universities facing administrative inquiries must aggressively litigate any attempt by federal agencies to freeze, review, or terminate research grants without strict adherence to the multi-stage statutory procedures set forth in 42 U.S.C. § 2000d-1, leveraging the precedent established in *AAUP v. DOJ*.
- **Conduct Forensic Audits of Civil Rights Complaints:** Academic institutions must establish internal, independent oversight panels to review and document all Title VI and Title VII allegations. This ensures that administrative complaints are based on objective, verified hostile-environment standards rather than coordinated "test cases" engineered by external litigation groups.
- **Monitor Public-Private Financial Intermediaries:** State attorneys general and tax authorities should initiate compliance audits into the blending of charitable assets and political lobbying funds between affiliated 501(c)(3) and 501(c)(4) entities, specifically tracking the routing of donor-advised funds used to sponsor targeted legislative capture campaigns.
- **Defend Academic Freedom and Institutional Governance:** University boards of trustees must resist administrative demands to restructure governance, eliminate diversity programs, or modify curricula when such demands are issued as arbitrary preconditions for federal funding, relying on the First Amendment "zone of protection" affirmed by federal courts.

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