**Case Analysis**

**AAUP v. Rubio**

# Case Summary and Outcome

The United States District Court for the District of Massachusetts allowed key claims to proceed in a lawsuit brought by the American Association of University Professors (AAUP), its Harvard, NYU, and Rutgers chapters, and the Middle East Studies Association (MESA), who challenged a federal policy allegedly designed to identify, punish, and deport non-citizen students and academics for expressing pro-Palestinian or anti-Israel views. The plaintiffs argued that following campus protests related to the war in Gaza, senior federal officials launched an enforcement regime—anchored by executive orders and a social media surveillance program called “Catch and Revoke”—that used AI to flag speech critical of Israel and subjected flagged individuals to arrest, visa revocation, and deportation. The Court rejected the Government’s argument that immigration law barred judicial review, holding that the plaintiffs were not challenging individual deportation orders but a broader, ideologically motivated policy, and found that both associational and organizational standing were satisfied based on the objectively reasonable chilling effect on non-citizen members and demonstrable harm to MESA’s scholarly mission. On the merits, the Court held that the plaintiffs had plausibly alleged a content- and viewpoint-based campaign of censorship in violation of the First Amendment and a reviewable final agency action under the Administrative Procedure Act, given the concrete legal consequences flowing from the alleged policy. However, it dismissed the Fifth Amendment vagueness claim, ruling that due process protections requiring clarity do not apply to unwritten policies. The case proceeded on the freedom of expression and administrative law claims, while the vagueness challenge has been dismissed.

# Facts

The American Association of University Professors (AAUP) and four of its local affiliates—the AAUP–Harvard Faculty Chapter, the AAUP at New York University, the Rutgers AAUP–American Federation of Teachers, and the Middle East Studies Association (MESA)—filed an action challenging what they describe as an “ideological-deportation policy” announced and carried out by various federal officials. AAUP is a nationwide nonprofit membership association and labor union of faculty, graduate students, and other academic professionals, whose mission includes advancing academic freedom and shared governance. Its Harvard, NYU, and Rutgers chapters likewise represent faculty at those institutions. MESA is a nonprofit scholarly association dedicated to the study of the Middle East, whose membership includes faculty and students whose expertise and research are said to depend on free exchange of ideas across national borders.

The complaint traces the underlying policy’s origins to campus protests following the October 7, 2023, Hamas-led attacks on Israel and Israel’s military operations in Gaza, including a high-profile encampment at Columbia University in April 2024. During his 2024 presidential campaign, President Trump characterized those protests as “pro-Hamas,” “antisemitic,” and “anti-American,” and publicly promised to “throw out of the country” any non-citizen students or faculty who participated. On January 20, 2025, President Trump issued Executive Order (EO) 14161, directing the Secretary of State to “vet and screen” all non-citizens “to the maximum degree possible” to ensure they do not “espouse hateful ideology” or “advocate for . . . foreign terrorists.” Shortly thereafter, EO 14188 proclaimed a nationwide campaign “to combat anti-Semitism vigorously,” including recommendations that institutions of higher education monitor and report on non-citizen students and staff whose speech or associations might render them inadmissible or removable under terrorism-related or foreign-policy grounds.

To implement the EOs at issue, the Department of State and U.S. Immigration and Customs Enforcement allegedly initiated a social-media surveillance program known as “Catch and Revoke,” which employs artificial intelligence to identify non-citizen students and faculty who have engaged in speech supportive of Palestinian rights or critical of Israeli military conduct. As part of this program, universities were reportedly provided with lists of individuals flagged for enforcement action.

Among the first individuals affected was [Mahmoud Khalil](https://globalfreedomofexpression.columbia.edu/cases/in-the-matter-of-mahmoud-khalil/), a lawful permanent resident and recent Columbia University graduate, who was arrested at his student housing, had his green card revoked, and was issued a notice of deportation under a provision tied to foreign policy. Around the same time, federal authorities revoked the visas or immigration status of at least four other non-citizen academics. These included Yunseo Chung, a Columbia student and lawful permanent resident, whose residence status was revoked after she participated in a pro-Palestinian campus protest; Badar Khan Suri, a Georgetown University postdoctoral fellow, whose student visa was revoked based on social media posts alleged to spread “Hamas propaganda” and attenuated connections to a Hamas-affiliated advisor; Cornell doctoral candidate Momodou Taal, whose student visa was revoked after he refused to surrender to custody following deportation proceedings resulting from his involvement in pro-Palestine demonstrations; and Tufts doctoral student Rümeysa Öztürk, who was detained and had her visa revoked following the publication of an op-ed critical of Israel. Additionally, Columbia student and lawful permanent resident Mohsen Mahdawi, who helped organize pro-Palestinian campus demonstrations, was detained by the Department of Homeland Security, which now seeks his deportation.

The complaint further references a number of anonymous individuals affiliated with the plaintiff organizations who have also been affected by the alleged policy. These include five unnamed AAUP members and two unnamed MESA members, all of whom are lawful permanent resident professors or lecturers, as well as one anonymous student closely associated with an AAUP chapter. While not publicly identified, these individuals are said to have responded to the policy by taking down social media posts and previously published writings, ceasing to assign or teach material related to Palestine and Israel, withdrawing from conference participation, avoiding international travel, and removing professional information from university websites. Several also declined to speak at rallies, protests, or public forums, and chose not to participate in events such as panel discussions or film screenings.

The suit was filed on March 25, 2025, in the United States District Court for the District of Massachusetts against Secretary of State Marco Rubio, Secretary of Homeland Security Kristi Noem, Acting Director of U.S. Immigration and Customs Enforcement Todd Lyons, the Departments of State and Homeland Security, President Donald J. Trump in his official capacity, and the United States of America (with President Trump and the United States subsequently dismissed as parties to certain claims). The Plaintiffs seek declaratory and injunctive relief—a court order to halt the enforcement of the challenged policy and to formally declare it unlawful—challenging the policy under which non-citizen students and faculty are targeted for arrest, detention, visa revocation, and removal solely on account of their pro-Palestinian or critical-of-Israel speech and association.

At a hearing on April 23, 2025, the Court, with the parties’ consent, converted the preliminary injunction motion into a full trial on the merits (i.e., a complete examination of the facts and legal claims), treated the Government’s opposition as a challenge to the Court’s authority and the adequacy of the complaint, and regarded the Plaintiffs’ reply as their response to that challenge. The matter was argued, and this court order followed.

# Decision Overview

Judge William G. Young of the United States District Court for the District of Massachusetts delivered the memorandum and order for the Court. The main issue before the Court was whether the so-called “ideological-deportation policy”—under which senior federal officials arrest, detain, revoke visas, and initiate deportation proceedings against non-citizen students and faculty solely on account of their pro-Palestinian or anti-Israel political expression—could be challenged in federal court under the First and Fifth Amendments and the Administrative Procedure Act (APA), and whether those claims were barred by the INA’s jurisdiction-stripping provisions, 8 U.S.C. sections 1252(f) and (g).

The Plaintiffs argued that the federal court has jurisdiction to hear their case despite the government's invocation of two immigration-specific jurisdictional bars—8 U.S.C. sections 1252(f) and 1252(g) of the Immigration and Nationality Act (INA). Section 1252(f) generally limits the authority of lower courts to issue injunctions—an order to compel or prohibit an action—that would interfere with how federal deportation laws operate. Plaintiffs contended that this provision does not apply here because they are challenging a broad, overarching policy, not specific provisions of the immigration statutes, and are also seeking a stay under the APA—a federal statute that allows courts to review and set aside unlawful or arbitrary agency actions—which they argue is a form of non-injunctive relief outside section 1252(f)’s scope. As for section 1252(g), which narrowly prohibits court review of certain removal-related decisions made in individual cases (such as whether to initiate or execute a deportation), the Plaintiffs emphasized that their lawsuit is not brought "neither by nor on behalf of an alien, nor … in relation to a deportation proceeding[.]" [p. 27] Instead, they maintained they are attacking an "unconstitutional, overarching policy" affecting academic and political expression, placing them outside the reach of that jurisdictional bar.

On standing—a jurisdictional requirement that determines who can bring a case in court—the Plaintiffs asserted both associational and organizational standing. Associational standing allows an organization to sue on behalf of its members when those members would have standing to sue individually, the lawsuit relates to the group’s core purpose, and no individual participation is needed. Under this theory, Plaintiffs claimed their noncitizen members faced a pervasive chilling effect on core academic freedoms, such as deleting past writings, declining leadership roles, altering syllabi, and even fleeing their home cities, stemming from the challenged policy and the Government’s “threats” to deport based on protected expression. They also argued that their citizen members suffered related harms to their ability to engage with and learn from noncitizen colleagues. Organizational standing, by contrast, allows an organization to sue in its own right when it has suffered direct injury, such as a diversion of resources caused by the challenged policy. Here, Plaintiffs claimed that chapters have seen “significantly lower-than-usual registration numbers” [p. 51] at major events, that noncitizen scholars have withdrawn from leadership roles, and that the associations have been forced to divert significant staff time to immigration counseling and legal referrals.

Turning to the Plaintiff’s claim under the First Amendment—a constitutional provision that protects freedom of speech, including political expression, from government interference—they maintained that the ideological-deportation policy itself, specifically targeting pro-Palestinian or anti-Israel speech, is an unconstitutional content- and viewpoint-based restriction on political speech, and that the accompanying campaign to punish such speech constitutes unlawful censorship under the Supreme Court’s prohibition on government-induced chilling of expression. Regarding their Fifth Amendment vagueness claim—rooted in a constitutional guarantee that individuals must be given fair notice of what conduct is prohibited before they can be punished—the Plaintiffs briefly argued that executive directives and unwritten guidelines “may be challenged on vagueness grounds” [p. 62] when they deter protected speech, and that the policy’s blur of “pro-Hamas” labels over peaceful human-rights advocacy cannot provide the fair warning required by due process. In challenging the policy under the APA, the Plaintiffs invoked the “strong presumption in favor of judicial review,” [p. 64] arguing that “final agency action”—meaning an agency decision that marks the end of its decision-making process and has legal consequences—"need not be in writing,” and emphasize there is “no other adequate remedy” for the systemic chill on noncitizens’ and organizations’ expression because individual removal proceedings cannot address the collective harm to academic discourse and governance.

For its part, the Government alleged that the Court lacks jurisdiction to grant the injunctive relief the Plaintiffs seek under two provisions of the INA. First, they maintained that the Court lacks the power to issue the requested injunction under Section 1252(f), since it forbids interference with how federal authorities carry out deportation laws. Second, the Government argued that Section 1252(g) removes the Court’s authority to hear cases tied to how immigration officials initiate or carry out deportations, and claims that the Plaintiffs’ challenge, even if framed as a broad policy objection, ultimately stems from those individual enforcement decisions. On standing, the Government argued that neither the Plaintiff organizations nor their members had suffered a sufficiently concrete or specific injury that could be clearly linked to the Government’s actions or remedied by the court. They maintained that no non-citizen member had been directly targeted—no visas or green cards had been revoked—so any claimed chilling effect on speech was speculative. They warned that permitting associational standing under such circumstances could allow any academic group to challenge ordinary immigration enforcement based on generalized fears. As for organizational standing, the Government argued that the alleged harms, such as lower attendance at events and diverted staff time, were indirect consequences of individual visa holders’ decisions, not injuries directly caused by the challenged policy.

Turning to the merits, the Government advanced three substantive arguments. First, on the First Amendment counts, they maintained that the Plaintiffs had mischaracterized a series of independent enforcement actions and official statements as a unified policy, and that these actions fell within the scope of the Government’s discretion to speak and enforce immigration law. They argued that the EOs “address unlawful conduct” [p. 54]—specifically support for terrorism or foreign policy threats—and therefore did not amount to content- or viewpoint-based restrictions on protected expression. Second, on the Fifth Amendment vagueness claim, they insisted that vagueness doctrine had never been extended outside the statutory or written–regulation context. Under the APA, they contended that there was no “final agency action” because the alleged policy had not “determined rights and obligations” or “triggered legal consequences,” and that, in any event, the INA itself precluded APA review of enforcement decisions affecting non-citizens.

The Court’s opinion proceeded in two broad phases: first, it confirmed its power to hear the Plaintiffs’ challenge by rejecting the Government’s jurisdiction-stripping arguments and finding both associational and organizational standing; second, it evaluated the merits of each claim—First Amendment, Fifth Amendment vagueness, and APA reviewability—before ruling on the motion to dismiss.

Accepting as true all well‐pleaded allegations and drawing all reasonable inferences in the Plaintiffs’ favor, the Court began by assessing whether 8 U.S.C. section 1252(f)(1) foreclosed its authority to prohibit the “ideological-deportation policy.” Noting that the Supreme Court in Garland v. Aleman Gonzalez held section 1252(f)(1) "deprived" the district court "of jurisdiction to entertain... requests for class-wide injunctive relief” against some provisions of the INA but did not eliminate district courts’ power to issue declaratory relief or adjudicate APA claims. Garland v. Aleman Gonzalez, 596 U.S. at 543 (2022) The Court emphasized that section 1252(f)(1) restricts only a narrow category of injunctions, not subject-matter jurisdiction outright.

Turning next to section 1252(g), the Court rejected the Government’s contention that this provision—a narrow bar on challenges “by or on behalf of any alien arising from” the commencement, adjudication, or execution of removal orders—encompassed the Plaintiffs’ facial attack on an allegedly unconstitutional policy. Drawing on the Supreme Court’s decision in Reno v. American-Arab Anti-Discrim. Comm., 525 U.S. 471 (1999) (AADC), which confines section 1252(g) to three discrete prosecutorial functions, and the D.C. Circuit’s decision in NWDC Resistance v. Immigration & Customs Enf’t, 493 F. Supp. 3d 1003 (W.D. Wash. 2020), held that organizational plaintiffs challenging a broad enforcement policy were not suing on behalf of any particular alien removal decision. Because the Plaintiffs do not seek review of specific removal orders but rather the policy that underlies those decisions, section 1252(g) does not strip this Court of jurisdiction, and the motion to dismiss on that ground was denied.

The Court, having found it had jurisdiction, then evaluated the Plaintiffs’ standing and concluded they met both associational and organizational standing requirements. For associational standing, it found that the AAUP and MESA plausibly alleged that non-citizen members faced an “objectively reasonable” chill on their First Amendment rights due to a credible threat of visa revocation or deportation for pro-Palestinian expression, evidenced by actions such as deleting writings, altering syllabi, and avoiding public engagement. These allegations were sufficient for the Court to establish member standing, and thus associational standing, particularly because the relief sought could redress the alleged injuries by targeting government conduct rather than third parties. For organizational standing, the Court held that MESA sufficiently alleged a demonstrable injury to its activities, including diminished participation in events and disruption to its scholarly mission, along with a diversion of resources. The Court found MESA’s claims went beyond that threshold and declined to decide AAUP’s organizational standing, since one plaintiff’s standing was enough to sustain the case.

Proceeding to the merits, the Court first addressed the First Amendment counts. It reaffirmed that “noncitizens have at least some First Amendment rights” and that political speech lies “at the core” of those protections. Applying Bantam Books, Inc. v. Sullivan, 372 U.S. 58, 66-67 (1963), and AADC to underscore that government‐induced threats to private speech can violate the First Amendment, it concluded that the pleaded facts—an unwritten policy to deport non-citizens for pro-Palestinian or critical-Israel expression and a campaign of “thinly veiled threats”—plausibly state both content- and viewpoint-based restrictions and unlawful informal censorship. Adding that “speech code that is unwritten or vague but enforced with harsh penalties would seem more likely to chill broad swaths of speech than one that clearly defines what is forbidden.” [p. 60] The Court held that at this stage it must credit the inference that such a policy exists, and chills protected speech, and therefore declined to dismiss the First Amendment claims at this stage.

The Court quickly rejected the Plaintiffs’ Fifth Amendment vagueness claim, holding that the void-for-vagueness doctrine applies only to statutes or, at most, written regulations—not to unwritten executive policies. The Court emphasized that fairness concerns addressed by the doctrine do not justify a broad constitutional challenge to undefined or informal practices. Because the Plaintiffs challenged an alleged unwritten policy, the Court found no legal basis for the claim and dismissed this claim.

On the APA claim, the Court reaffirmed the strong presumption in favor of judicial review and rejected the Government’s argument that final agency action must be in writing. Relying on precedents like R.I.L-R. v. Johnson, 80 F. Supp. 3d 164, 174 (D.D.C. 2015) and Amadei v. Nielsen, 348 F. Supp. 3d 145, 165 (E.D.N.Y. 2018), the Court reasoned that consistent executive statements and practices—such as targeting pro-Palestinian advocacy for immigration penalties—can constitute final agency action if they determine rights or trigger legal consequences. It further held that Plaintiffs plausibly alleged such action here. Addressing the requirement that no other adequate remedy be available, the Court found that individual removal proceedings could not meaningfully redress the broader harm to academic freedom and organizational missions caused by the alleged policy, stating that “[the Plaintiffs’] harms are not otherwise redressable than through the APA.” [p. 66] Accordingly, the Court denied the motion to dismiss the APA claim.

In conclusion, the Court cleared the way for judicial review of the so-called “ideological-deportation policy” by rejecting the Government’s jurisdictional defenses under Sections 1252(f) and 1252(g) of the INA and finding that the Plaintiffs, through AAUP and MESA, had standing to sue. It held that the associations plausibly alleged a credible and objectively reasonable chill on their noncitizen members’ political expression, supporting associational standing, and that MESA in particular had also suffered concrete harm to its activities, justifying organizational standing. On the substantive claims, the Court allowed the case to proceed on the First Amendment issues, finding sufficient allegations that the Government’s actions amounted to content- and viewpoint-based discrimination and a campaign of coercive threats that chilled protected speech. The Court dismissed the vagueness challenge under the Fifth Amendment, holding that due process protections do not extend to unwritten policies. Finally, it permitted the APA claim to move forward, concluding that Plaintiffs had plausibly alleged final agency action and that no other adequate remedy was available to address the broader systemic impact on academic expression. The case will continue on the First Amendment and APA grounds, while the vagueness claim has been dismissed.

# Decision Direction

Expands Expression

This order expands freedom of expression, it affirms that non-citizen students and scholars cannot be singled out for deportation based on their pro-Palestinian or critical-Israel speech. In granting associational and organizational standing, the Court situates this decision alongside AADC and other First Amendment precedents, underscoring that covert threats of removal constitute unlawful censorship and must yield to judicial oversight under both the First Amendment and the Administrative Procedure Act.

By embracing the APA’s presumption of reviewability, it ensures that any campaign to chill protected expression, no matter how informally circulated, can be challenged as final agency action. This precedent secures another check on executive power, guaranteeing that academic and political discourse against matters of public interest remains fully immune from chilling deportation policies.

# Global Perspective

* U.S. Federal Rules of Civil Procedure
* U.S The Administrative Procedure Act of 1946
* U.S. Immigration and Nationality Act of 1952
* U.S. Illegal Immigration Reform and Immigrant Responsibility Act of 1996
* U.S. Executive Order 14161, “Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats”
* U.S. Executive Order 14188, “Additional Measures to Combat Anti-Semitism”
* U.S. United States v. Stevens, 559 U.S. 460 (2010)
* U.S. McCutcheon v. Federal Election Comm’n, 572 U.S. 185 (2014)
* U.S. Cohen v. California, 403 U.S. 15 (1971)
* U.S. Bell Atl. Corp. v. Twombly, 550 U.S. 544 (2007)
* U.S. Katz v. Pershing, LLC, 806 F. Supp. 2d 452 (D. Mass. 2011)
* U.S. Procunier v. Martinez, 416 U.S. 396 (1974)
* U.S. Verlus v. Experian Info. Sols., Inc., No. 23-CV-11426-DJC, 2025 WL 836588 (D. Mass. Mar. 17, 2025)
* U.S. Berezin v. Regency Sav. Bank, 234 F.3d 68 (1st Cir. 2000)
* U.S. Ocasio-Hernández v. Fortuño-Burset, 640 F.3d 1 (1st Cir. 2011)
* U.S. Garland v. Aleman Gonzalez, 596 U.S. 543 (2022)
* U.S. Reno v. American-Arab Anti-Discrim. Comm., 525 U.S. 471 (1999)
* U.S. National TPS Alliance v. Noem, No. 25-CV-01766-EMC, 2025 WL 957677 (N.D. Cal. Mar. 31, 2025)
* U.S. Biden v. Texas, 597 U.S. 785 (2022)
* U.S. Brito v. Garland, 22 F.4th 240 (1st Cir. 2021)
* U.S. Immigrant Defs. Legal Ctr. v. DHS, No. CV 21-0395, 2021 WL 4295139 (C.D. Cal. July 27, 2021)
* U.S. NWDC Resistance v. ICE, 493 F. Supp. 3d 1003 (W.D. Wash. 2020)
* U.S. Oldaker v. Giles, 724 F. Supp. 3d 1315 (M.D. Ga. 2024)
* U.S. Ragbir v. Homan, 923 F.3d 53 (2d Cir. 2019)
* U.S. Pham v. Ragbir, 141 S. Ct. 227 (2020)
* U.S. FDA v. Alliance for Hippocratic Medicine, 602 U.S. 367 (2024)
* U.S. TransUnion LLC v. Ramirez, 594 U.S. 413 (2021)
* U.S. Valley Forge Christian College v. Americans United, 454 U.S. 464 (1982)
* U.S. Schlesinger v. Reservists Comm. to Stop the War, 418 U.S. 208 (1974)
* U.S. Lujan v. Defenders of Wildlife, 504 U.S. 555 (1992)
* U.S. Murthy v. Missouri, 603 U.S. 43 (2024)
* U.S. In re Financial Oversight & Management Bd. for Puerto Rico, 110 F.4th 295 (1st Cir. 2024)
* U.S. Hunt v. Washington State Apple Advertising Comm’n, 432 U.S. 333 (1977)
* U.S. Draper v. Healey, 827 F.3d 1 (1st Cir. 2016)
* U.S. Thayer v. City of Worcester, 979 F. Supp. 2d 143 (D. Mass. 2013)
* U.S. Babbitt v. United Farm Workers Nat’l Union, 442 U.S. 289 (1979)
* U.S. New Hampshire Right to Life PAC v. Gardner, 99 F.3d 8 (1st Cir. 1996)
* U.S. Mangual v. Rotger-Sabat, 317 F.3d 45 (1st Cir. 2003)
* U.S. Speech First, Inc. v. Cartwright, 32 F.4th 1110 (11th Cir. 2022)
* U.S. Speech First, Inc. v. Whitten, 145 S. Ct. 701 (2025)
* U.S. Summers v. Earth Island Institute, 555 U.S. 488 (2009)
* U.S. Mandel v. Bradley, 408 U.S. 753 (1972)
* U.S. Neely v. Benefits Review Bd., 139 F.3d 276 (1st Cir. 1998)
* U.S. Utah v. Evans, 536 U.S. 452 (2002)
* U.S. Antilles Cement Corp. v. Fortuño, 670 F.3d 310 (1st Cir. 2012)
* U.S. Havens Realty Corp. v. Coleman, 455 U.S. 363 (1982)
* U.S. Louis v. Saferent Solutions, LLC, 685 F. Supp. 3d 19 (D. Mass. 2023)
* U.S. Equal Means Equal v. Ferriero, 3 F.4th 24 (1st Cir. 2021)
* U.S. African Communities Together v. Trump, No. 19-10432, 2019 WL 5537231 (D. Mass. Oct. 25, 2019)
* U.S. Massachusetts v. HHS, 923 F.3d 209 (1st Cir. 2019)
* U.S. Katz v. Pershing, LLC, 672 F.3d 64 (1st Cir. 2012)
* U.S. Presbyterian Church (U.S.A.) v. United States, 870 F.2d 518 (9th Cir. 1989)
* U.S. Comfort v. Lynn Sch. Comm., 418 F.3d 1 (1st Cir. 2005)
* U.S. NRA v. Vullo, 602 U.S. 175 (2024)
* U.S. Bridges v. Wixon, 326 U.S. 135 (1945)
* U.S. Virginia v. Black, 538 U.S. 343 (2003)
* U.S. American-Arab Anti-Discriminatory Comm. v. Reno, 70 F.3d 1045 (9th Cir. 1995)
* U.S. OPAWL – Building AAPI Feminist Leadership v. Yost, 118 F.4th 770 (6th Cir. 2024)
* U.S. United States v. Verdugo-Urquidez, 494 U.S. 259 (1990)
* U.S. Price v. INS, 962 F.2d 836 (9th Cir. 1991)
* U.S. Abourezk v. Reagan, 785 F.2d 1043 (D.C. Cir. 1986)
* U.S. American-Arab Anti-Discrim. Comm. v. Meese, 714 F. Supp. 1060 (C.D. Cal. 1989)
* U.S. American-Arab Anti-Discrim. Comm. v. Thornburgh, 970 F.2d 501 (9th Cir. 1992)
* U.S. Keyishian v. Board of Regents, 385 U.S. 589 (1967)
* U.S. Holder v. Humanitarian Law Project, 561 U.S. 1 (2010)
* U.S. Greater Boston Legal Services v. DHS, 2022 WL 138629 (D. Mass. Jan. 14, 2022)
* U.S. Hoye v. City of Oakland, 653 F.3d 835 (9th Cir. 2011)
* U.S. Schmitt v. Murphy, 2010 WL 3813648 (D. Mass. 2010)
* U.S. Speech First, Inc. v. Sands, 69 F.4th 184 (4th Cir. 2023)
* U.S. Bantam Books, Inc. v. Sullivan, 372 U.S. 58 (1963)
* U.S. Bennett v. Spear, 520 U.S. 154 (1997)
* U.S. Amadei v. Nielsen, 348 F. Supp. 3d 145 (E.D.N.Y. 2018)
* U.S. Aracely R. v. Nielsen, 319 F. Supp. 3d 110 (D.D.C. 2018)
* U.S. Grand Canyon Trust v. Public Serv. Co. of N.M., 283 F. Supp. 2d 1249 (D.N.M. 2003)
* U.S. R.I.L-R. v. Johnson, 80 F. Supp. 3d 164 (D.D.C. 2015)
* U.S. Labor Relations Division of Construction Industry of Mass. v. Healey, No. 15-10116, 2015 WL 4508646 (Mass. Super. Ct. July 9, 2015)