

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND
NORTHERN DIVISION

STUDENTS FOR FAIR ADMISSIONS, <i>Plaintiff,</i>
v.
THE UNITED STATES NAVAL ACADEMY, <i>et. al,</i> <i>Defendants.</i>

No. 1:23-cv-02699

JOINT PROPOSED PRETRIAL ORDER

Per Local Rule 106, the parties submit the following proposed pretrial order.

- I. A brief statement of facts that each plaintiff proposes to prove in support of that plaintiff's claims, together with a listing of the separate legal theories relied upon in support of each claim.**

Plaintiff, Students for Fair Admissions, Inc., brought this action to address the U.S. Naval Academy's racially discriminatory admissions. SFFA intends to show that USNA's use of race does not further any compelling governmental interest and is not narrowly tailored, thus failing the strict scrutiny review required by the equal-protection component of the Fifth Amendment. Specifically, SFFA intends to prove the following facts at trial:

A. Racial Balancing

USNA admits its goal is to achieve a racially balanced brigade of midshipmen that matches the racial demographics of the eligible U.S. population, a goal that blatantly violates settled law. *See SFFA v. Harvard*, 600 U.S. 181, 223 (2023). USNA's own documents and statistical evidence independently confirm that USNA manipulates admissions outcomes in an attempt to achieve its racial balancing goal. The admissions office closely monitors the racial makeup of the admitted applicant pool as each incoming class takes shape, including through detailed numerical charts that compare the composition of the current class with those of previous classes at the same point in the admissions cycle. Everyone in the admissions chain of command—from the Superintendent to regional admissions staff—is kept abreast of the

Academy's progress. If the admissions office believes it is on track to admit too few racial minorities in general, or too few of a certain racial group in particular, it prioritizes applicants from those racial groups when filling the remaining seats in the class. It does this through a variety of methods, including prioritizing racial minorities for appointments to "second vacancies" for particular congressional districts and using race as a filtering mechanism when choosing applicants from the wait list. This transparent regime of racial balancing is a flagrant violation of the Constitution.

B. Use of Race as a Stereotype

The Academy's entire admissions program rests on racial stereotypes. The Supreme Court has long held that universities may not operate their admissions programs on the belief that minority students always (or even consistently) express some characteristic minority viewpoint on any issue. But that's precisely what the Academy does. By connecting "military effectiveness" to the racial mix of particular units, the Academy's program assumes that there is an inherent benefit in race qua race—an assumption which rests on the pernicious stereotype that military officers from one racial demographic can bring something that officers of other races cannot. For example, the Academy's attempt to tie the race of its officer corps to successful interactions with foreign nationals uses race as a crude proxy for cultural experiences or awareness. Moreover, by balancing its class to foster trust between the enlisted corps and its future leaders, the Academy is assuming that—among other stereotypes—some races won't respect or follow people who have a different skin color. Such sordid stereotyping has no legitimate use and is contrary to the core purpose of equal protection. *See Harvard*, 600 U.S. at 219-20.

C. Use of Race as a "Negative"

The Academy's use of race also thwarts the Constitution's fundamental command that an individual's race may never be used against him. *Harvard*, 600 U.S. at 218-21. For starters, the Academy's admissions program is zero-sum; because there are limited seats for admission and many candidates compete for those slots, any benefit provided to some applicants of some

avored races necessarily disadvantages other applicants of the disfavored races. And because race can be (and often is) a decisive factor for Black, Hispanic, and Asian applicants, it's an equally dispositive minus for everyone else. For instance, the Academy expressly prioritizes racial minorities when admitting applicants from its wait list at the end of each admissions cycle. Because applicants of certain races go to the front of the line, all other applicants are relegated to the back based on their skin color.

D. USNA's Admissions Program is Not Narrowly Tailored Because it Lacks a Defined End Point

Academy officials cannot identify a general range, much less pinpoint a specific level, of racial diversity at which point USNA will no longer need to consider applicants' race. There is good reason for this failure. Because the Academy relies on racial balancing to achieve (and preserve) parity between officers, the enlisted, and the citizens they serve, the Academy's use of race lacks a logical end point. Indeed, under the Academy's theory, the only way it can mirror the demographic composition of the population is by giving preferences to applicants of certain races and adjusting the scope of those preferences year over year, to ensure the Academy always shares the diversity of the enlisted ranks and the general population. By tying its racial composition to the whims of demography, the Academy promises to use race in perpetuity. And indeed, the Academy is not even adhering to its own illusory standard for success; the Brigade of Midshipmen has had a greater percentage of Asian-Americans than the general population for years, but Academy officials have never even considered altering the racial preferences they provide to Asian-Americans. Nor have they put a sunset date on USNA's race-based admissions. This indefinite use of racial classifications is forbidden by longstanding Supreme Court precedent.

E. USNA's Use of Race Is Not Narrowly Tailored to Achieve USNA's Asserted Interests

USNA has no evidence supporting its asserted connection between the racial composition of the officer corps and military effectiveness (e.g., unit cohesion and lethality), recruitment, retention, or institutional legitimacy. Furthermore, it did not even attempt to conduct

or commission any full-scale studies establishing such a connection before beginning its racial classification scheme. Indeed, USNA's racial classifications themselves have no correlation to the benefits it seeks to achieve. They are incoherent and irrational, and simulatenously overbroad and underinclusive. By grouping together all Asian applicants, for instance, the Academy is apparently uninterested in whether South Asian or East Asian midshipmen—who come from countries as diverse as Japan and Pakistan—are adequately represented in the officer corps. It is enough for the Academy's purpose that they are all "Asian." And the Academy apparently thinks that a Mexican-American sailor is more likely to follow a white officer of Spanish descent, just because he checked the box for "Hispanic." It classifies First-Generation Americans born in Iraq simply as "white," even though those applicants would be the most likely to have knowledge of cultural practices in key regions. The Academy's use of these arbitrary racial categories cannot survive strict scrutiny.

But the foregoing notwithstanding, the Academy's use of race still has little correlation to its claimed interests. The Academy produces only 16-20 percent of the total new Naval officers each year, and thus its use of race cannot move the needle on the overall composition by the officer corps, as it manipulates its own demographics by only a handful of percentage points—a point its own internal documents recognize. Even if 100% of the officers the Academy commissioned each year were members of racial minority groups, the percentage of racial minorities in each new class of officers still would not match the percentage of minorities in the population at large. Accordingly, the Academy cannot carry its burden of proving that its use of race is narrowly tailored to furthers any of its allegedly compelling governmental interests.

F. Failure to Consider Race-Neutral Alternatives

Finally, the Academy has not undertaken any good-faith efforts to determine whether comparable race-neutral programs would work. It has never consulted—and vehemently resisted discovery into—the Coast Guard Academy's success when the law required it to use race-blind admissions. Moreover, it has never conducted any modeling to determine the racial

composition of incoming classes if it stopped considering race. Nor has it engaged in any other meaningful studies about the feasibility of ceasing its use of race. The Academy’s only attempt to “evaluate” race-neutral alternatives consists of five “informal” excel spreadsheets generated by its Dean of Admissions that identified the number of midshipmen in the admitted applicant pool for the Class of 2026 who were deemed to have faced “hardship or adversity,” spoke English as a second language, or possessed a few other characteristics that might feature in a race-neutral admissions plan. The spreadsheets were unaccompanied by any narrative reporting and come nowhere close to a *bona fide* attempt to analyze the effect of race-neutral admissions. SFFA’s experts, on the other hand, will establish that the Academy can and will remain racially diverse if it stops using race.

II. A brief statement of facts that each defendant proposes to prove or rely upon as a defense thereto, together with a listing of the separate legal theories relied upon in support of each affirmative defense.

Plaintiff’s assertion that the Naval Academy’s limited consideration of race in its admissions process does not further any compelling interest and is not narrowly tailored is belied by the extensive evidentiary record in this case. The military has, across numerous administrations, repeatedly concluded that a diverse officer corps is critical to its ability to defend our nation, and the Naval Academy’s admissions policies are directly related to and narrowly tailored to achieve that precise goal. This military judgment—which is supported by research, the history of race relations in the military, and decades of military experience both in combat and preparing for combat—is entitled to deference. *See, e.g., Gilligan v. Morgan*, 413 U.S. 1, 10 (1973); *Goldman v. Weinberger*, 475 U.S. 503, 507 (1986); *Dep’t of Navy v. Egan*, 484 U.S. 518, 530 (1988); *Austin v. U.S. Navy Seals 1-26*, 142 S. Ct. 1301, 1302 (2022) (Kavanaugh, J., concurring); *Roe v. Dep’t of Def.*, 947 F.3d 207, 219 (4th Cir. 2020).

A. The Military Has a Compelling National Security Interest in a Diverse Officer Corps

In *Students for Fair Admissions, Inc. v. Harvard College*, 600 U.S. 181 (2023), the Supreme Court declined to address military service academies' admissions policies "in light of the[ir] potentially distinct interests." *Id.* at 213 n.4. The military's interest is indisputably distinct from the civilian universities at issue in *SFFA*. Senior military leaders have long recognized that the nation's military strength and readiness depend on a pipeline of officers who are racially and ethnically diverse and have been educated in environments that prepare them to lead increasingly diverse forces. The Naval Academy is an instrumental component in this pipeline. The Naval Academy prepares midshipmen for war. Naval Academy graduates account for approximately 28% of new Navy and Marine Corps officers in the warfighting communities, and around 40% of senior naval officers are Naval Academy graduates, including 91% of Chiefs of Naval Operations to the present day. The evidence will show that the Naval Academy has only become more instrumental to ensure diversity in the senior ranks over the years as the Naval Academy's student body has become more racially and ethnically diverse.

The military's judgment is informed by the serious internal racial strife that has risked mission readiness since the military's inception. From the Revolutionary War through World War II, the Navy frequently limited the number of Black Americans able to enlist (and those allowed to enlist were relegated to segregated units or positions) and the Marine Corps largely banned Black Americans altogether. This environment contributed to racial conflict during the "Red Summer" of 1919 and in 1944 at Port Chicago, Mare Island, and Port Hueneme.

The evidence will show that during the Vietnam War, racial violence erupted first in the Marine Corps and later in the Navy. Racial violence occurred in bases in Vietnam, the

United States, and on hundreds of ship and shore installations. Subsequent investigations revealed that a major contributing factor to this climate was the dearth of minority officers in the chain of command, among other factors related to racial discrimination. In this context, senior military leaders determined that the scarcity of minority officers created distrust within the force and helped fuel the racial tensions that critically undermined military readiness.

The military ultimately concluded that a racially diverse officer corps is vital to national security for a variety of interdependent reasons. First, a diverse officer corps fosters cohesion and lethality. Outbreaks of racial violence have not occurred since the Navy and Marine Corps diversified their officer corps. Witnesses for the Defendants will show that the lack of diversity risks internal strife, which undermines unit cohesion and jeopardizes mission success. Second, a racially diverse officer corps facilitates recruitment and retention of top talent. Witnesses for Defendants will show that building an officer corps that is reflective of the general population is a key tool in encouraging potential servicemembers to join the military and in retaining them afterwards, which is especially important given the shrinking portion of Americans eligible for and interested in military service. The evidence will also show that active-duty members who perceive their diversity climates as unhealthy, which is experienced most often by minority servicemembers, are more likely to separate from the military compared to those that identify their diversity climates as healthy. Third, a racially diverse officer corps bolsters the legitimacy of the military in the eyes of the nation and the world. Witnesses for the Defendants will provide concrete evidence regarding the legitimacy benefits that flow from a diverse officer corps, which decrease the likelihood that the crisis which threatened the military's legitimacy in the past reemerges in the future. Fortunately, the perception crisis resulting from racial

unrest during the Vietnam War era does not plague the military today. The increasing racial and ethnic diversity in the officer corps is an important reason for today's much-improved climate.

B. The Naval Academy's Admissions Process is Narrowly Tailored to Further the Military's Compelling National Security Interest

The Naval Academy considers race in admissions in a limited fashion only to further the military's distinct operational and strategic interests. As an initial matter, only qualified candidates may be appointed to the Naval Academy, and race is not a factor in determining whether a candidate is qualified. Furthermore, even where race may be considered, it is only considered to the extent it provides context for an individualized, holistic assessment of candidates. No candidate is admitted based solely on the basis of his or her race. Candidates are evaluated with an eye towards the myriad ways in which they might contribute to the Navy or Marine Corps as future officers—including, for example, their overcoming of adversity, life experiences, leadership potential, athletic prowess, and academic accomplishments.

Given the military's closed promotion system, where it can only develop officers from within, the evidence will show that the key opportunity the military has to ensure a diverse officer corps in the Navy and Marine Corps that meets its operational and strategic imperatives is to have a diverse student body at the Naval Academy. And because the number of qualified minority candidates—in particular, Black American candidates—is small despite substantial outreach efforts, the Naval Academy's need to consider race in a limited fashion to increase the size of that qualified, diverse applicant pool is all the more critical.

i. The Naval Academy Does Not Engage in Racial Balancing to Achieve its Aspirational Diversity Goals

The Naval Academy seeks to build a racially and ethnically diverse Brigade of Midshipmen that reflects the demographics of the general population. In building diverse incoming classes, the Naval Academy uses neither floors nor ceilings for particular demographic groups and does not offer appointments to candidates based solely on their race. The Naval Academy's goal to build a diverse Brigade constitutes a permissible goal that is far from a quota. And, contrary to Plaintiff's assertions, the Naval Academy does not engage in "racial balancing." Indeed, the admissions and enrollment data show substantial fluctuations in the share of racial groups within each class year after year.

ii. Race is Used Neither as a Negative Nor as a Stereotype

Plaintiff erroneously presumes that the Naval Academy's limited consideration of race must operate as a "negative" for certain candidates because college admissions are "zero-sum." Even if that were true for civilian universities, many offers of appointment to the Naval Academy are made through a process wholly unlike the admission processes at civilian universities. Race is not considered at all for these appointments. Regarding the subset of where race could be considered as a nondeterminative factor, appointment decisions are not made because of race; instead, race could be considered only to the extent it provides context in an individualized and holistic evaluation of candidates. Moreover, because minorities account for a relatively small number of overall candidates, the Naval Academy's limited consideration of race has a relatively small impact on the admissions rate for White candidates.

The admissions process also does not rely on racial stereotypes. Instead of seeking to admit diverse candidates on the assumption that they express a particular viewpoint shared by others of the same background, the Naval Academy seeks to admit diverse candidates so that

all midshipmen can learn to be effective military leaders and so that the Navy can achieve its compelling national security interests. The evidence will show that having diverse officers directly facilitates both recruitment and retention efforts. It also serves as a risk mitigator, by protecting against the destructive racial tensions that have the potential to harm mission performance as in previous conflicts. The evidence will also show that having an officer corps reflective of the diversity of the nation promotes both domestic and international legitimacy. These are not stereotypes. The admissions policies are grounded in professional military judgments, supported by research and experience, that those interests cannot be realized without a diverse officer corps. That is far from, as Plaintiff puts it, assuming an “inherent benefit in race qua race.”

iii. The Naval Academy Does Not Intend to Consider Race as a Factor in its Admission Process Indefinitely

Plaintiff's insistence that the Naval Academy must have a defined end point ignores the national security interest at issue here. The strength and effectiveness of the armed forces is an enduring requirement with national security implications of the highest order. That is why no court has ever held that national security has an end date. In any event, the Naval Academy reviews its admissions process, including the limited consideration of race, annually and has conducted substantive legal reviews on at least four occasions during the current Dean's tenure. Through its periodic review and adjustment of its admissions policies, the Naval Academy ensures that race plays no greater role than necessary to achieve its compelling national security interest. The Naval Academy anticipates that it will no longer have a need to continue its limited consideration of race in admissions decisions once it achieves and maintains the racial diversity of the Brigade at a level generally comparable to the demographics of

the general population. The fact that the racial demographics of the nation are changing does not mean that the Naval Academy will consider race indefinitely.

iv. Race-Neutral Alternatives Are Insufficient to Achieve a Diverse Brigade

Contrary to Plaintiff's contention that the Naval Academy has failed to consider race-neutral alternatives, the evidence will show that the Naval Academy's admissions policies already incorporate a plethora of race-neutral factors intended to increase racial and ethnic diversity. Indeed, over time, the Naval Academy has added more and more race-neutral factors into its admissions process, while at the same time reducing the role that race plays in the admissions process. For example, among the factors that the Naval Academy currently considers (and awards points for) in making appointment decisions are overcoming adversity and hardship, socioeconomic status, first-generation American status, first-generation college status, English as a second language, unusual life experiences, significant cultural experiences, domicile in an underrepresented congressional district, and prior exposure to the military lifestyle.

Additional race-neutral approaches the Naval Academy has implemented or considered include (but are not limited to): visits to Navy and Marine Corps units and bases to market to and increase applications from Fleet Sailors and Marines, expanded outreach to minority applicants via several different exposure programs for high school students and their parents, marketing to specific underrepresented demographics through an enrollment management company, advertising efforts through social media, investing resources into increasing application initiation and completion rates to broaden the pool of potential candidates for admission, and focused outreach to underrepresented congressional districts and target cities.

Although it does not control who receives congressional nominations, the Naval Academy also routinely educates and encourages Members of Congress to nominate minority applicants. The Naval Academy has also run informal reports using its admissions database to determine if it could exclusively rely on variables other than race. But one does not need to conduct a statistical analysis to see the obvious. Despite the Naval Academy's substantial efforts to increase the number of minority students over time, including through the use of numerous race-neutral alternatives, the number of minority students in every class, and in particular Black American and Hispanic students, falls far short of reflecting the nation's racial and ethnic demographics.

III. Similar statements as to any counterclaim, crossclaim, or third-party claim.

None.

IV. Any amendments required of the pleadings

None.

V. Any issue in the pleadings that is to be abandoned

None.

VI. Stipulations of fact or, if the parties are unable to agree, requested stipulations of fact

The Parties stipulate as follows:

1. Students for Fair Admissions is a “nonprofit organization founded in 2014 whose purpose is to defend human and civil rights secured by law, including the right of individuals to equal protection under the law.” *SFFA v. Harvard*, 600 U.S. 181, 197 (2023).

2. The four students deposed by USNA (known as Members A, B, C, and D) are members of SFFA.

VII. The details of the damages claimed or any other relief sought as of the date of the pretrial conference

SFFA asks the Court to enter judgment in its favor and enter (1) a declaratory judgment that USNA's use of race in admissions is unconstitutional under the Fifth Amendment; (2) a permanent injunction prohibiting the Academy from considering or knowing applicants' race when making admissions decisions; and (3) all other relief that SFFA is entitled to, including but not limited to attorneys' fees and costs.

Defendants maintain that Plaintiff's request for a permanent injunction prohibiting the Naval Academy from "knowing applicants' race when making admissions decisions" is inconsistent with the explicit recognition in *Harvard* that "as all parties agree, nothing in this opinion should be construed as prohibiting universities from considering an applicant's discussion of how race affected his or her life, be it through discrimination, inspiration, or otherwise." *Students for Fair Admissions, Inc. v. Harvard College*, 600 U.S. 181, 230 (2023).

VIII. A listing of each document or other exhibit, including summaries of other evidence, other than those expected to be used solely for impeachment, separately identifying those which each party expects to offer and those which each party may offer if the need arises. The listing shall indicate which exhibits the parties agree may be offered in evidence without the usual authentication. This requirement may be met by attaching an exhibit list to the pretrial order

Pursuant to Federal Rule 26(a)(3) and Local Rule 106, Plaintiff submits the following exhibit list attached as Appendix A. Plaintiff reserves the right to use any exhibit listed on the exhibit list provided by Defendants. A document's presence on Plaintiff's exhibit list is not a waiver of objections or any concession that the document is admissible if offered by Defendants.

Pursuant to Federal Rule 26(a)(3) and Local Rule 106, Defendants submit the following exhibit list attached as Appendix B. Defendants reserve the right to use any exhibit listed on

the exhibit list provided by Plaintiff. A document's presence on Defendants' exhibit list is not a waiver of objections or any concession that the document is admissible if offered by Plaintiff.

The parties do not anticipate making authentication objections to any document at trial, although Plaintiff has requested additional information about three Rule 1006 summary exhibits identified by Defendants (D207, D208, D209).

The parties have asserted other objections to some of each side's exhibits and are working through those objections to try and resolve them without the Court's assistance. Plaintiff's position is that given the timeframe of the trial and the information set forth in paragraph 2 of the document the Court provided the parties with on August 23, the parties should make an effort to agree to preadmission of exhibits in advance of trial and avoid the need for a sponsoring witness for every document admitted. Plaintiff defers of course, to the court's preferences on this issue. Defendants defer to the Court's preference as to whether certain categories of exhibits should be admitted without sponsoring witnesses but respectfully provides their view that it could be helpful to the Court to have sponsoring witnesses explain the relevance of exhibits before they are admitted into evidence.

IX. A list for each party of the name, address, and telephone number of each witness, other than those expected to be called solely for impeachment, separately identifying those whom the party expects to present and those whom the party may call if the need arises.

Pursuant to Federal Rule 26(a)(3) and Local Rule 106, Plaintiff provides the following witness list. Plaintiff reserves the right to call any witness on Defendants' witness list, as well as other witnesses not listed for purposes of impeachment, rebuttal, or to overcome Defendants' objections to the admission of any document into evidence.

In addition, pursuant to Federal Rule of Civil Procedure 26(a)(3) and Local Rule 106, Defendants provide the below witness list. Defendants reserve the right to call any witness on Plaintiff's witness list, as well as other witnesses not listed for purposes of impeachment, rebuttal, or to overcome Plaintiff's objections to the admission of any document into evidence.

A. Witnesses that SFFA "expects to present"

Peter Arcidiacono
1600 Wilson Blvd., Suite 700
Arlington, VA 20009
(703) 243-9423

John V. Fuller
1100 L Street NW
Washington, DC 20005
(202) 514-4336

Jeannette Haynie
1100 L Street NW
Washington, DC 20005
(202) 514-4336

Melody Hwang
1100 L Street NW
Washington, DC 20005
(202) 514-4336

Richard Kahlenberg
1600 Wilson Blvd., Suite 700
Arlington, VA 20009
(703) 243-9423

Stephen Bruce Latta
1100 L Street NW
Washington, DC 20005
(202) 514-4336

Captain Ed Sundberg
1100 L Street NW
Washington, DC 20005
(202) 514-4336

Lisa Truesdale
1100 L Street NW
Washington, DC 20005
(202) 514-4336

Steven Vahsen
U.S. Naval Academy
121 Blake Road
Annapolis, MD 21402
(410) 293-1000

Ashish Vazirani
1100 L Street NW
Washington, DC 20005
(202) 514-4336

Brigadier General Christopher Walker
1600 Wilson Blvd., Suite 700
Arlington, VA 20009
(703) 243-9423

Dakota Wood
1600 Wilson Blvd., Suite 700
Arlington, VA 20009
(703) 243-9423

B. Witnesses that SFFA “may call if the need arises”

SFFA may present deposition testimony from four members of Students for Fair Admissions (who the parties refer to as Members A, B, C, and D) if the need arises. These individuals’ identities are protected as “Highly Confidential” under the Protective Order. Their addresses are contained in their deposition transcripts. All of them are current college students; they do not reside or attend school within 100 miles of the United States District Court for the District of Maryland.

SFFA may also call:

Katherine A. Batterton

1100 L Street NW
Washington, DC 20005
(202) 514-4336

Jason Birch
1100 L Street NW
Washington, DC 20005
(202) 514-4336

Edward Blum
1600 Wilson Blvd., Suite 700
Arlington, VA 20009
(703) 243-9423

Stephanie Miller
1100 L Street NW
Washington, DC 20005
(202) 514-4336

John Sherwood
1100 L Street NW
Washington, DC 20005
(202) 514-4336

Anna Natsuyo Wood
1100 L Street NW
Washington, DC 20005
(202) 514-4336

Witnesses from USNA and/or the Defendants necessary to authenticate trial exhibits
1100 L Street NW
Washington, DC 20005
(202) 514-4336

C. Witnesses that Defendants “expect to present” at trial

Beth Bailey, Ph.D.
University of Kansas
127 N. 1600th Rd
Lecompton, KS
(215) 908-0159

Jason Birch

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John V. Fuller
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Stuart Gurrea, Ph.D.
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Jeannette Haynie, Ph.D.
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Melody Hwang
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Stephen Bruce Latta
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Jason Lyall, Ph.D.
114 Academy Road
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Stephanie Miller
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John Sherwood, Ph.D.
1100 L Street, NW
Washington, D.C. 20530
(202) 305-7583

Ed Sundberg

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(202) 305-7583

Lisa Truesdale
1100 L Street, NW
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Steve Vahsen
1100 L Street, NW
Washington, D.C. 20530
(202) 305-7583

Ashish Vazirani
1100 L Street, NW
Washington, D.C. 20530
(202) 305-7583

D. Witnesses that Defendants “may call if the need arises”

Katherine Batterton, Ph.D.
1100 L Street, NW
Washington, D.C. 20530
(202) 305-7583

Anna Natsuyo Wood
1100 L Street, NW
Washington, D.C. 20530
(202) 305-7583

Witnesses from Defendants necessary to authenticate trial exhibits
1100 L Street, NW
Washington, D.C. 20530
(202) 305-7583

X. A list for each party of the name and specialties of experts the party proposes to call as witnesses including hybrid fact/expert witnesses such as treating physicians.

A. SFFA’s expert witnesses

Peter Arcidiacono. Mr. Arcidiacono is a professor of labor economics at Duke University. He has written extensively on the effects of race-based college admissions, including at Harvard College and the University of North Carolina.

Richard Kahlenberg. Mr. Kahlenberg is the Director of the American Identity Project at the Progressive Policy Institute. He is one of the leading authorities on race-neutral alternatives for schools and universities.

Brigadier General Christopher Walker. Brigadier General Walker is a graduate of the United States Air Force Academy and a retired United States Air Force General officer with over forty years of military experience. General Walker has commanded airmen and other troops squadron, group, state, and Joint Task Force levels, and his duties during his final assignment included serving as the Senior Military Advisor to the Secretary of the Air Force's Office of Diversity and Inclusion. General Walker is an expert on foreign affairs, military readiness, military leadership, unit cohesion, the impact of racial diversity in the military, and the harms caused to the military by race-based initiatives.

Dakota Wood. Mr. Wood is a graduate of the United States Naval Academy who served as an officer in the U.S. Marine Corps for two decades. Following his retirement from the Marine Corps, Mr. Wood has worked as a scholar, researcher, and advisor on national security issues for the last twenty years since his retirement from the Marine Corps, including serving as the civilian Strategist for Marine Corps Special Operations Command and as the Senior Research Fellow for Defense Programs at the Heritage Foundation. Mr Wood has published more than 85 articles and major reports and has testified before Congress on military readiness and national security issues. He is an expert on the U.S. military's combat readiness, military leadership, unit cohesion, and the impact of cultural and technological developments on national security issues.

B. Defendants' expert witnesses

Beth Bailey, Ph.D. Dr. Bailey is the Foundation Distinguished Professor and founding director of the Center for Military, War, and Society Studies at the University of Kansas. Dr. Bailey is the author or co-author of five books concerning the issue of race in the military and has authored more than 40 journal articles or book chapters. Dr. Bailey's research focuses on the history of the U.S. military, war and society.

Katherine Batterton, Ph.D. Dr. Batterton is the Assistant Director, Policy Integration, Officer & Enlisted Personnel Management, Military Personnel Policy, Office of the Under Secretary of Defense for Personnel & Readiness, Department of Defense. Dr. Batterton has a doctorate in applied mathematics and is responsible for the development, coordination, integration, and implementation of total force military personnel policies and programs and the provision of oversight to the Military Departments, Joint Staff, and other Department of Defense components on military force management policies and programs.

Stuart Gurrea, Ph.D. Dr. Gurrea is a managing director at Secretariat, a consultancy that provides, among other things, applied economic analysis. Dr. Gurrea has over twenty-

years of experience in the field of microeconomics and applying quantitative techniques to address economic questions in a variety of fields and industries.

Jeannette Haynie, Ph.D. Dr. Haynie, a hybrid fact and expert witness, is a former Senior Advisor to the Office of the Undersecretary of Personnel and Readiness, Department of Defense. Dr. Haynie is a political scientist whose research focuses on the application of diversity and inclusion to the military. Dr. Haynie, a United States Naval Academy graduate and former Marine Corps attack helicopter pilot, has almost 30 years of experience in national security and leadership, and has more than thirty publications on a wide variety of military issues.

Jason Lyall, Ph.D. Dr. Lyall is the James Wright Chair of Transnational Studies & Associate Professor in the Department of Government and Dartmouth College. Dr. Lyall has published broadly and has taught on the topic of military effectiveness and intergroup relations at both the undergraduate and graduated levels. He is an expert on how intergroup relations affect battlefield performance in modern war, and he is the author of the award-winning book, *Divided Armies: Inequality and Battlefield Performance in Modern War*. Dr. Lyall has delivered presentations on military inequality and battlefield performance at more than 25 universities, think-tanks, professional associations, and government agencies.

Stephanie Miller. Ms. Miller, a hybrid fact and expert witness, is the Deputy Assistant Secretary of Defense for Military Personnel Policy Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense. Based on her personal experience, including her work at the Department of Defense and as a Naval Officer, Ms. Miller has substantial expertise in military retention and recruitment issues, including the role that racial and ethnic diversity play in those efforts, as well as general trends concerning the increase of minority officers in the Navy over time.

John Sherwood, Ph.D. Dr. Sherwood is a historian with the Naval History and Heritage Command, Department of the Navy. Dr. Sherwood has extensively studied the history of race relations in the Navy, including as reflected in his publication *Black Sailor, White Navy: Racial Unrest in the Fleet During the Vietnam Era*. Dr. Sherwood is the Navy's foremost authority on the service's history in Vietnam.

Lisa Truesdale. Ms. Truesdale, a hybrid fact and expert witness, is the Deputy Assistant Secretary of the Navy (Military Manpower and Personnel) (DASN) (MMP)) within the Office of the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN (M&RA)). Ms. Truesdale is responsible for the establishment and oversight of policies related to U.S. Navy and U.S. Marine Corps active and reserve component service members and their families. These policies cover, among other things, military human resource management (accessions, recruiting, assignments, force management, promotions and compensation). Based on her experience in this and other positions, as well as her time as a Naval Officer, Ms. Truesdale has significant expertise in the recruitment, retention and promotion practices in

the Navy, including potential barriers minorities may face in each of these areas, as well as the relative increase in the number of minority officers over time.

XI. A list of the pages and/or lines of any portion of a deposition to be offered in a party's case in chief or any counter-designations under Fed. R. Civ. P. 32(a)(4).

A list of the pages and lines of the portions of depositions that SFFA intends to offer in its case in chief are below.

A. SFFA's Case-in-Chief Deposition Designations

SFFA will offer the following testimony by deposition:

30(b)(6) Deposition of Defendants (May 28, 2024)

- 6:9-7:9
- 22:18-25:2
- 30:7-31:6
- 41:22-44:1
- 47:12-48:2
- 50:8-17
- 52:12-55:6
- 57:17-61:4
- 61:20-65:8
- 70:6-72:1
- 77:20-78:19
- 85:5-87:15
- 93:19-105:11
- 105:20-127:2
- 130:1-135:14
- 145:5-146:4
- 154:20-161:4
- 162:9-180:7
- 181:19-190:10
- 197:21-200:11
- 202:16-204:1
- 205:4-221:16
- 221:22-223:20
- 224:22-225:17
- 228:8-229:21

Member A's Deposition (May 10, 2024)

- 5:16-6:09
- 11:4-13:8
- 13:17-15:14
- 19:10-20:10
- 20:19-21:5
- 22:13-24:5
- 25:5-26:19
- 27:1-27:22
- 28:9-30:20
- 31:11-34:16
- 36:6-36:11
- 38:3-40:7
- 41:14-42:22
- 44:8-45:18
- 46:6-50:5
- 50:16-52:11
- 52:19-53:9
- 54:9-55:1
- 56:1-56:17
- 59:16-61:11
- 67:8-68:3
- 76:20-77:9
- 79:8-81:16
- 83:20-84:17
- 89:14-92:4
- 93:14-93:18
- 94:7-19
- 95:5-9
- 112:10-114:14

Member B's Deposition (June 19, 2024)

- 5:15-6:11
- 14:14-16:2
- 18:12-19:20
- 21:12-22:22
- 30:4-31:13
- 31:20-32:11
- 43:6-44:4
- 45:1-45:17
- 46:5-20
- 50:22-54:2
- 54:14-16
- 62:1-62:16
- 66:1-67:10

- 69:22-70:8
- 72:20-74:7
- 75:12-18
- 101:3-103:1
- 106:2-107:6
- 108:21-109:07
- 109:22-110:18
- 112:6-114:6
- 115:3-115:16
- 119:14-21
- 127:19-129:5
- 129:14-130:3
- 140:3-142:19

Member C's Deposition (July 11, 2024)

- 6:7-7:6
- 15:6-9
- 21:16-21:21
- 25:17-26:2
- 26:9-26:21
- 30:11-32:3
- 39:18-41:11
- 42:22-45:19
- 50:14-51:8
- 54:2-55:15
- 56:10-56:14
- 62:17-63:4
- 69:16-70:6
- 72:3-75:7
- 78:6-83:4
- 83:20-84:19
- 85:9-18
- 86:3-87:16
- 90:10-92:4
- 93:1-94:2
- 97:1-97:22
- 99:6-9
- 104:4-105:11
- 107:1-8
- 108:21-110:6
- 116:15-119:11
- 131:7-131:20
- 144:14-155:19
- 190:9-193:9

Member D's Deposition (July 18, 2024).

- 6:11-7:16
- 13:12-14:4
- 14:18-15:1
- 18:9-18:13
- 25:5-26:16
- 27:7-29:20
- 30:3-32:3
- 32:8-33:7
- 38:8-39:14
- 40:13-43:9
- 45:5-47:5
- 49:12-50:9
- 52:1-54:3
- 56:18-57:22
- 63:11-66:1
- 67:9-69:4
- 69:19-71:5
- 73:5-73:21
- 76:6-76:13
- 77:3-9
- 77:21-78:21
- 79:14-20
- 85:1-92:16
- 94:17-95:12
- 96:1-96:3
- 97:3-98:1
- 99:9-18
- 102:10-102:21
- 103:9-103:19
- 104:11-105:5
- 117:2-120:2
- Errata Sheet

B. Defendants' Counter Designations

Defendants provide the following counter designations of deposition testimony:

30(b)(6) Deposition of Defendants (May 28, 2024)

Counter Designation

- 61:5-61:10

Member A's Deposition (May 10, 2024)

Counter Designations

- 21:6-21:10
- 30:21-31:10
- 56:18-57:4
- 61:12-61:19
- 69:19-70:13
- 92:19-93:12
- 94:20-95:4
- 95:10-96:4

Member B's Deposition (June 19, 2024)

Counter Designations

- 16:11-17:19
- 63:9-63:21
- 71:9-72:19
- 74:13-75:8
- 105:10-106:1
- 118:1-118:19
- 109:8-109:18
- 109:19-109:21
- 114:7-115:2
- 119:22-120:20
- 129:7-129:13
- 130:18-130:22

Member C's Deposition (July 11, 2024)

Counter Designations

- 15:10-15:15
- 94:10-94:21
- 155:21-156:7

Member D's Deposition (July 18, 2024)

Counter Designations

- 18:14-18:20
- 47:6-47:10
- 49:2-49:8
- 71:6-71:20

- 73:22-76:5
- 79:4-79:13
- 81:4-82:6
- 79:21-81:3
- 96:4-96:9

C. Defendants' Case-in-Chief Deposition Designations

Defendants will offer the following testimony by deposition:

Member A's Deposition (May 10, 2024)

- 5:16-5:21
- 6:4-6:9
- 19:21-20:2
- 20:8-21:10
- 29:3-30:22
- 32:13-32:20
- 34:11-34:16
- 35:11-36:22
- 43:19-44:7
- 46:10-47:5
- 54:9-54:16
- 55:16-57:4
- 57:17-57:21
- 58:2-58:9
- 58:12-58:21
- 59:2-59:7
- 59:10-59:22
- 61:5-62:22
- 63:2-63:8
- 68:5-70:18
- 70:20-70:21
- 71:1-72:12
- 73:21-74:11
- 74:13-74:19
- 74:21-75:2
- 78:17-79:7
- 81:17-81:20
- 82:1-82:13
- 82:17-83:6
- 83:9
- 83:11-83:19

- 85:14-85:19
- 85:22-86:3
- 87:9-87:14
- 87:17-87:20
- 95:5-95:19
- 96:2-98:22
- 101:12-103:19
- 103:22-104:8
- 104:10-104:15

Member B's Deposition (June 19, 2024)

- 16:11-16:15
- 17:3-17:19
- 23:1-23:12
- 25:12-26:9
- 28:22-30:1
- 32:12-32:21
- 33:1
- 33:12-33:15
- 34:3-34:13
- 34:15-34:18
- 35:8-35:13
- 35:15
- 36:2-36:5
- 36:7
- 37:3-40:20
- 41:7-41:21
- 42:12-43:5
- 49:16-51:13
- 52:6-53:14
- 71:9-71:12
- 71:14-71:18
- 71:20-71:22
- 72:2-72:6
- 72:9-72:16
- 72:19
- 74:13-74:15
- 74:18-74:20
- 75:2-75:5
- 75:8
- 81:18-81:22
- 82:4-82:8
- 82:11
- 83:15-83:18

- 83:22
- 84:7-84:11
- 84:14
- 85:17-85:20
- 86:1
- 87:18-87:21
- 88:2
- 89:21-90:12
- 103:11-103:14
- 103:18-104:1
- 104:5
- 105:5-105:7
- 105:9
- 105:19-105:21
- 106:1
- 110:14-110:18
- 114:7-114:9
- 114:11-114:14
- 114:16-114:19
- 114:22-115:2
- 118:1-118:3
- 118:6-118:8
- 118:10-118:12
- 118:15
- 123:13-123:18
- 126:20-126:21
- 127:1-127:5

Member C's Deposition (July 11, 2024)

- 6:7-6:13
- 6:18-6:19
- 20:1-20:4
- 20:19-21:4
- 21:10-21:13
- 22:15-23:5
- 27:18-27:20
- 27:22-28:1
- 28:3-28:14
- 30:11-30:14
- 30:17-31:6
- 31:18-32:14
- 35:12-36:3
- 37:7-37:16
- 37:22-38:5

- 39:21-40:2
- 40:5-40:17
- 40:20-41:5
- 42:22-43:6
- 43:16-43:22
- 44:10-44:13
- 45:9-45:11
- 46:6-46:13
- 46:17-47:3
- 47:5
- 47:7-47:10
- 54:2-54:5
- 56:4-56:17
- 57:14-57:18
- 57:20-57:21
- 58:1-58:3
- 58:5-58:6
- 58:15-58:17
- 58:19-58:20
- 59:4-59:6
- 59:8-59:10
- 60:19-60:21
- 61:15-61:21
- 62:1-62:3
- 62:5-62:11
- 62:14-62:15
- 73:17-73:22
- 74:14-74:18
- 75:8-75:11
- 75:13
- 75:15-76:3
- 82:11-83:1
- 83:3-83:4
- 84:15-84:19
- 89:5-89:8
- 89:16-89:19
- 92:1-92:7
- 92:9
- 92:11-92:14
- 99:6-100:3
- 100:8-100:19
- 100:21
- 112:15-112:21
- 113:17-113:21

- 114:2-114:5
- 114:7-114:9
- 133:5-133:8
- 133:11-133:13
- 133:15-133:20
- 134:1
- 135:1-135:3
- 136:6-136:11
- 137:2-137:12
- 137:14
- 137:16-137:22
- 138:1-138:2
- 138:4-138:9
- 138:19-138:21
- 139:1-139:2
- 139:4-139:7
- 139:9-139:11
- 139:13-139:18
- 140:15-140:18
- 140:21
- 141:18-141:22
- 142:11-142:14
- 142:16
- 142:18-143:9
- 143:11-143:12
- 145:9-145:20
- 169:13-169:16
- 169:19-169:21
- 170:1-170:16
- 176:13-176:17
- 176:19-177:10
- 179:15-179:18

Member D's Deposition (July 18, 2024)

- 12:21-13:1
- 13:21-14:8
- 18:1-18:13
- 19:12-19:13
- 22:19-22:22
- 23:2-23:6
- 23:8-28:11
- 23:13-23:18
- 23:21
- 30:16-30:22

- 37:16-37:22
- 47:6-47:10
- 48:18-49:8
- 50:13-50:16
- 50:22-51:3
- 54:4-54:20
- 54:22
- 55:2-55:21
- 56:1-56:10
- 56:12-56:15
- 56:17
- 63:11-63:22
- 64:7-64:8
- 64:10
- 64:15-64:17
- 64:19
- 74:19-74:20
- 74:22-75:7
- 75:9-75:16
- 75:19-75:22
- 76:2
- 76:5
- 79:4-79:6
- 79:8
- 81:22-82:4
- 82:6-82:7
- 82:9-82:13
- 82:16-82:22
- 83:5-83:13
- 83:17-84:1
- 84:4-84:11
- 84:14-84:16
- 91:18-92:4
- 96:1-96:5
- 96:8-96:9
- 101:14-101:16
- 101:18
- 104:11-104:13
- 104:16-104:17
- 104:20-105:1
- 105:4-105:8
- 105:11-105:15
- 105:19-106:3
- 106:7

- 109:8-109:12
- 109:16-109:17
- 109:19-110:5
- 110:10-110:11
- 110:15-110:16
- 114:7-114:10
- 114:15

D. SFFA's Counter Designations

SFFA provides the following deposition counter-designations:

Member A's Deposition (May 10, 2024)

- 34:22-35:07
- 37:01-38:02
- 53:19-54:08
- 57:22-58:01
- 58:10-58:11
- 58:22-59:01
- 59:08-59:09
- 63:12-64:01
- 81:21-81:22
- 82:14-82:16
- 83:07-83:08
- 85:20-85:21
- 86:04-87:09
- 87:15-87:16
- 95:20-96:01
- 101:06-101:11
- 103:20-103:21
- 104:09

Member B's Deposition (June 19, 2024)

- 16:16-17:02
- 18:01-18:07
- 24:15-25:11
- 26:10-26:11
- 34:19-35:07
- 41:22-42:01
- 70:09-71:08
- 71:13
- 71:19

- 72:01
- 72:07-72:08
- 72:17-72:18
- 74:16-74:17
- 75:06-75:07
- 82:01-82:03
- 82:09-82:10
- 82:12-83:14
- 83:19-83:21
- 84:01-84:06
- 84:12-84:13
- 84:15-85:16
- 85:21-85:22
- 87:22-88:01
- 100:17-101:02
- 103:15-103:17
- 104:02-104:04
- 109:08-109:15
- 110:19-111:13
- 118:04-118:05
- 118:09
- 118:13-118:14
- 118:16-119:01

Member C's Deposition (July 11, 2024)

- 20:05-20:18
- 21:05-21:09
- 23:06-23:11
- 32:22-35:11
- 36:08-37:02
- 38:06-38:10
- 41:6-41:16
- 47:04
- 47:11-47:22
- 57:19
- 58:04
- 58:18
- 58:22-59:03
- 61:22
- 62:12-62:13
- 89:20-90:09
- 101:01-101:04

- 113:22-114:01
- 133:09-133:10
- 133:21-133:22
- 134:02-134:03
- 134:17-134:22
- 141:07-141:16
- 142:01-142:09
- 142:15
- 143:10
- 143:14-143:18
- 176:02-176:12
- 179:19-180:10

Member D's Deposition (July 18, 2024)

- 19:14-19:20
- 23:01
- 23:07
- 23:12
- 23:19-23:20
- 38:01-38:07
- 44:20-45:04
- 47:11-48:03
- 50:17-50:22
- 51:04-51:20
- 75:17-75:18
- 76:01
- 76:03-76:04
- 81:04-81:21
- 82:05
- 82:08
- 82:14-82:15
- 83:01-83:04
- 83:14-83:16
- 84:02-84:03
- 84:12-84:13
- 98:08-99:08
- 101:06-101:13
- 101:17
- 101:19-102:03
- 105:09-105:10
- 105:16-105:18
- 106:04-106:06

- 108:16-109:07
- 109:13-109:15
- 109:18
- 110:06-110:09
- 110:12-110:14
- 110:17-111:08
- 111:21-112:14
- 113:04-114:05
- 114:11-114:14
- 115:22-116:21

XII. Any other pretrial relief, including a reference to pending motions, which is requested

SFFA has filed a motion for summary judgment on Article III standing and a motion in limine to exclude certain testimony from Captain Jason Birch. SFFA's motions are currently pending with the Court.

Defendants have filed a motion in limine regarding certain of Plaintiff's expert witnesses and a motion in limine concerning certain exhibits contained in Plaintiff's exhibit list. Defendants' motions are currently pending with the Court.

XIII. Any other matters added by the Court.

None.

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Dated: August 22, 2024

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CERTIFICATE OF SERVICE

I certify that on August 29, 2024, I filed this proposed pretrial order through the Court's CM/ECF system, which will serve all parties.

/s/Thomas R. McCarthy

APPENDIX A

Exhibit No.	Date	Description	BegBates	EndBates [Blank]	Will Use/May Use [Blank]
P1	1/12/24	Office of Admissions Dean's Meeting Powerpoint - March 14, 2023	USNA-00003359	USNA-00003359	Will Use
P2	4/9/21	"Asian and Other Qualified No Offers" Excel File	USNA-00004593	USNA-00004593	Will Use
P3	4/9/21	"Hispanic or Latino Qualified No Offers" Excel File	USNA-00004594	USNA-00004594	Will Use
P4	4/9/21	"African American Qualified No Offers" Excel File	USNA-00004595	USNA-00004595	Will Use
P5	2/28/24	2023 - Board Routing.csv	USNA-00003547	USNA-00003547	Will Use
P6	2/28/24	2024 - Board Routing.csv	USNA-00003535	USNA-00003535	Will Use
P7	2/22/24	2025 - Board Routing.csv	USNA-00003527	USNA-00003527	Will Use
P8	2/22/24	2026 - Board Routing.csv	USNA-00003526	USNA-00003526	Will Use
P9	2/22/24	2027 - Board Routing.csv	USNA-00003525	USNA-00003525	Will Use
P10	10/15/21	Email with "Equity Versus Equality" Document attached	USNA-00028541	USNA-00028545	Will Use
P11	3/1/23	Email from Lacy to Rimmer re: "Initial Equity Assessment," with "Midshipmen Equity" Document attached	USNA-00028833	USNA-00028870	Will Use
P12	5/5/22	Email from Melody Hwang to Bruce Latta re: "Slate Declines" and "Slate Declines 5-5" document attached	USNA-00020331	USNA-00020332	Will Use
P13	5/10/23	Email from Melody Hwang to Christie Munnely re: RABs	USNA-00018302	USNA-00018303	Will Use
P14	5/10/23	Email from Melody Hwang to Christie Munnely re: Blue Chip Athletes	USNA-00018304	USNA-00018305	May Use
P15	6/23/20	"Offer Opportunity FQ/FQO" Document	USNA-00003569	USNA-00003569	Will Use
P16	4/28/22	Email from Dave Shaffer to Bruce Latta with "Class of 2025" Powerpoint attached and other attachment	USNA-00020359	USNA-00020361	May Use
P17	4/24/23	Email from Melody Hwang to Michelle Bishop re: "Nominations Assist"	USNA-00016872	USNA-00016872	May Use
P18	5/11/22	"Class Comparisons" Document	USNA-00002648	USNA-00002649	Will Use
P19	4/10/23	"Noms and Apps" Discussion Points	USNA-00002642	USNA-00002643	May Use
P20	4/1/22	"Nominations Update" Discussion Points	USNA-00002646	USNA-00002647	May Use
P21	6/29/23	Blue and Gold Officer Handbook	USNA-00001384	USNA-00001460	May Use
P22	2/8/24	U.S. Naval Academy Admissions - Executive Summary August 2023	USNA-00000139	USNA-00000145	Will Use
P23	4/23/24	Admissions Training Powerpoint - August 31, 2023	USNA-00006564	USNA-00006575	Will Use
P24	1/11/24	USNA Admissions Legal Overview Powerpoint - August 2023	USNA-00000696	USNA-00000830	May Use
P25	12/4/13	Overview of Admissions Whole Person Multiple - March 26, 2010	USNA-00001861	USNA-00001881	May Use
P26	10/9/18	Nomination Process and Congressional Slate Review Guidance - Class of 2023	USNA-00006557	USNA-00006558	Will Use

P27	11/7/23	Dean of Admissions Supplemental Guidance for the Class of 2028	USNA-00000146	USNA-00000151	Will Use
P28	6/28/23	Memorandum Regarding Admissions Guidance for the Class of 2028	USNA-00000152	USNA-00000155	Will Use
P29	8/8/22	Memorandum Regarding Admissions Guidance for the Class of 2027	USNA-00000196	USNA-00000199	Will Use
P30	8/24/22	Dean of Admissions Supplemental Guidance for the Class of 2027	USNA-00000200	USNA-00000205	May Use
P31	10/18/23	Memorandum Regarding the Use of "Affirmative Action" in Admissions Decisions at the U.S. Naval Academy	USNA-00000389	USNA-00000390	May Use
P32	3/1/21	U.S. Naval Academy's Diversity and Inclusion Strategic Plan	USNA-00000391	USNA-00000402	May Use
P33	12/3/21	2021 Institute Effectiveness Report	USNA-00000610	USNA-00000630	May Use
P34	12/18/23	2022 Institute Effectiveness Report	USNA-00001837	USNA-00001860	May Use
P35	7/10/20	"Race and Ethnicity Debate" Powerpoint	USNA-00002367	USNA-00002367	May Use
P36	1/17/24	United States Naval Academy Office of Admissions Powerpoint	USNA-00002685	USNA-00002720	Will Use
P37	8/28/23	Minority Applications Versus Minority Admissions Excel File	USNA-00002721	USNA-00002721	May Use
P38	4/20/21	Nominations Update - Congressional Slate Discussion Points	USNA-00002750	USNA-00002751	May Use
P39	7/1/20	"Class Comparisons" Document - June 30	USNA-00002752	USNA-00002752	May Use
P40	3/31/20	Nominations Update - Slate Review Discussion Points	USNA-00002774	USNA-00002775	May Use
P41	6/30/19	Class Comparisons Document - June 29	USNA-00002776	USNA-00002776	May Use
P42	2/6/24	Diversity & Inclusion Admissions - 2022 Report	USNA-00003227	USNA-00003246	May Use
P43	8/19/22	Admissions Board Training Powerpoint - 2022	USNA-00003260	USNA-00003260	May Use
P44	9/7/23	Letters of Assurance Powerpoint	USNA-00003307	USNA-00003313	May Use
P45	6/21/23	Tab A3 Accepts 19 JUN 23	USNA-00001359	USNA-00001359	Will Use
P46	1/16/24	Dean of Admissions Supplemental Guidance for the Class of 2024	USNA-00003393	USNA-00003397	May Use
P47	1/18/24	"Minority Application and I-Day Representation" Document	USNA-00003566	USNA-00003567	Will Use
P48	6/22/20	Demographic Information 2012-24 Excel File	USNA-00003570	USNA-00003570	Will Use
P49	7/31/18	USNA Candidate Information	USNA-00003742	USNA-00003775	May Use
P50	4/26/23	Admissions Excellence - INSPIRE Program	USNA-00004423	USNA-00004424	May Use
P51	12/1/21	U.S. Naval Academy Admissions - Executive Summary August 2020	USNA-00004536	USNA-00004543	May Use
P52	5/30/23	Service Academy Additional Questions RFI	USNA-00004555	USNA-00004555	May Use
P53	2/17/21	Miscellaneous Candidates/Issues for Discussion	USNA-00004565	USNA-00004566	May Use
P54	9/20/22	"Moving the Needle" Powerpoint	USNA-00004811	USNA-00004811	May Use
P55	9/22/23	"Request for SASC - Nominations #'s" Email	USNA-00004862	USNA-00004867	May Use
P56	2/9/24	Department of Defense Information Paper	USNA-00004897	USNA-00004916	May Use
P57	2/9/24	"USNA Attrition" Document	USNA-00004917	USNA-00004918	May Use
P58	2/13/24	"NASS 2024 Selection Training" Powerpoint	USNA-00005376	USNA-00005376	Will Use
P59	8/1/23	Admissions Board Training Powerpoint - August 2023	USNA-00015983	USNA-00016000	Will Use

P60	4/22/20	"USNA College Entrance Examination Analysis" Powerpoint	USNA-00016001	USNA-00016001	May Use
P61	4/21/20	NAPS Admissions Board Discussion Points	USNA-00016003	USNA-00016004	May Use
P62	7/18/23	Naval Academy Preparatory School Guidance for Academic Year 2024	USNA-00016027	USNA-00016028	May Use
P63	2/13/22	"Candidate Number" Excel file	USNA-00016045	USNA-00016045	May Use
P64	10/10/18	Guidance to Attend Preparatory Programs - 2020	USNA-00016053	USNA-00016053	May Use
P65	8/22/22	Superintendent Remarks at Admissions Board Meeting - 2022	USNA-00005494	USNA-00005496	May Use
P66	8/22/22	"Moving the Needle" Powerpoint No. 2	USNA-00005499	USNA-00005499	May Use
P67	9/26/22	"Class of 2027 Application Projections" Powerpoint	USNA-00005510	USNA-00005510	May Use
P68	4/4/23	"African American Qualified No Offers 2023-04-04" Excel File	USNA-00005571	USNA-00005571	Will Use
P69	8/25/21	Superintendent Remarks at Admissions Board Meeting - 2021	USNA-00005886	USNA-00005888	May Use
P70	7/13/20	"USNA Student Demographics" Document	USNA-00006320	USNA-00006320	May Use
P71	9/4/19	"General Board Process" Powerpoint	USNA-00006323	USNA-00006323	May Use
P72	10/24/19	"Preparatory School Recommendations" Powerpoint	USNA-00006329	USNA-00006329	May Use
P73	5/12/20	USNA Rejection Letter	USNA-00006367	USNA-00006368	May Use
P74	8/15/18	Superintendent Remarks at Admissions Board Meeting - 2018	USNA-00006554	USNA-00006555	May Use
P75	5/17/22	Email from Charles Abbott to S. Buck re: "Amicus Brief"	USNA-00016526	USNA-00016618	May Use
P76	2/6/22	Email from Carlos Del Toro to S. Buck re: "Vander Billingslea"	USNA-00016619	USNA-00016619	May Use
P77	2/11/22	Email from Melody Hwang to Lauren Zaccheo re: "USNA LOAs no nom"	USNA-00016744	USNA-00016745	May Use
P78	3/22/22	Email from Melody Hwang to Cynthia Bernstein re: "Call at 3:30 today"	USNA-00016751	USNA-00016765	May Use
P79	8/7/23	"Strategy Assessment and Recommendation" Document	USNA-00016802	USNA-00016848	May Use
P80	5/25/23	"Region 0 Analysis" Powerpoint	USNA-00016860	USNA-00016862	May Use
P81	4/19/23	Email from Melody Hwang to Felicity Hector-Bruder: "US Naval Academy and OVP"	USNA-00016878	USNA-00016894	May Use
P82	4/22/22	Email from Melody Hwang to Cynthia Bernstein re: "Nominations"	USNA-00016928	USNA-00016929	May Use
P83	11/12/21	Email from Melody Hwang to Bruce Latta re: "LOAs"	USNA-00017250	USNA-00017251	May Use
P84	1/4/23	Average Attrition Rates Powerpoint	USNA-00017529	USNA-00017536	May Use
P85	1/4/23	"Gender Composition" Powerpoint	USNA-00017537	USNA-00017547	May Use
P86	11/16/22	Email from Deborah McDonald to Bruce Latta re: "Affirmative Action_USNA"	USNA-00017733	USNA-00017733	May Use
P87	11/29/22	Email from Melody Hwang with attached "Application Decisions" Powerpoint	USNA-00017738	USNA-00017739	May Use
P88	11/17/22	Email from Deborah McDonald to Arthur Primas and others with attached Memorandum Regarding the Use of "Affirmative Action" in Admissions Decisions at the U.S. Naval Academy - November 10, 2022	USNA-00017961	USNA-00017964	May Use

P89	11/1/22	Email from Deborah McDonald to Bruce Latta re: "Affirmative Action"	USNA-00017999	USNA-00018001	May Use
P90	10/21/22	Email from munnelly@usna.edu to Bruce Latta re: "Racial Makeup"	USNA-00018164	USNA-00018164	May Use
P91	6/9/23	Email from Bruce Latta Germel Clarke re: "Diversity Recruiting Goals" and attachment	USNA-00018281	USNA-00018284	May Use
P92	6/2/23	Email from Cay McGuire with Race and Ethnic Breakdown Table for 2022-2026, Race and Ethnic Breakdown Table for 2022-2026 - Accepted Applicants, and Race and Ethnic Breakdown Table for 2022-2026 - Accepted Applicants	USNA-00018291	USNA-00018299	Will Use
P93	5/9/23	Email from Melody Hwang to Bruce Latta re: Blue Chip Athletes	USNA-00018306	USNA-00018306	May Use
P94	5/4/23	Email from Melody Hwang to Bruce Latta re: Admissions Offers	USNA-00018309	USNA-00018310	May Use
P95	4/28/23	Email from Christie Munnelly to Melody Hwang re: Blue Chip Athletes	USNA-00018315	USNA-00018316	May Use
P96	5/15/23	Emailing Meeting re: "SCOTUS Affirmative Action Decision" with calendar attachment	USNA-00018317	USNA-00018318	May Use
P97	5/12/23	Email from Gary Guthrie to Julie Rudy re: "Affirmative Action"	USNA-00018324	USNA-00018325	May Use
P98	5/12/23	Email from Melody Hwang to Bruce Latta with "Nomination Source Category" Excel File and Prep Wait List-2023-05-12 Excel File	USNA-00018326	USNA-00018328	May Use
P99	5/8/23	Email from Alexandra Fitzgerald to Bruce Latta with attached PDF Conference of Service Academy Superintendents - April 2023	USNA-00018354	USNA-00018429	May Use
P100	9/14/23	Email from Bruce Latta to James Bates with "USNA Application Process" Document attached	USNA-00018690	USNA-00018695	May Use
P101	9/6/23	Email from Bruce Latta to Germel Clarke with "Goals for c/o 2020 Admissions Cycle" Powerpoint and other attachments	USNA-00018696	USNA-00018706	May Use
P102	8/14/23	Email from Marcus Jones to Bruce Latta re: "Harvard admissions application"	USNA-00018727	USNA-00018727	May Use
P103	8/9/23	Email from Marcus Jones to Bruce Latta re: "Military Academy recruiting"	USNA-00018799	USNA-00018799	May Use
P104	9/21/22	Email from Emily Donaho to Bruce Latta re: "Data issues"	USNA-00019280	USNA-00019281	May Use
P105	9/23/22	Email from Debrah McDonald to Bruce Latta re: "DA Lit Division" with attachment withheld for privilege	USNA-00019379	USNA-00019382	May Use
P106	8/23/22	Email from Bruce Latta Alana Garas re: "UC Berkeley Professor"	USNA-00019432	USNA-00019433	May Use
P107	2/16/23	Email from Will McShane to Bruce Latta With "Class of 2027 HICS" Attached	USNA-00019601	USNA-00019608	May Use
P108	2/1/23	Email from David Arnold to Bruce Latta with "Brigade Striper Board Read-Ahead" attached	USNA-00019664	USNA-00019820	May Use

P109	2/1/23	Email from Bob Brennan to Steve Vahsen re: "NAPS Academic Study," with attachment	USNA-00019821	USNA-00019824	Will Use
P111	6/29/23	Email from Marcus Jones to Bruce Latta re: "SFFA v. Harvard" with Supreme Court opinion attached	USNA-00020018	USNA-00020256	May Use
P112	6/27/23	Email from Bruce Latta to Elizabeth Miller re: "Supes Guidance," with attachments	USNA-00020266	USNA-00020270	May Use
P113	6/5/23	Email from Alana Garas to Herb Lacy re: "diverse cultural backgrounds"	USNA-00020276	USNA-00020281	May Use
P114	4/12/22	Email from Melody Hwang to Bruce Latta re: "official test scores"	USNA-00020355	USNA-00020356	May Use
P115	4/28/22	Email from Melody Hwang to Bruce Latta with "Reason" Excel File attached	USNA-00020364	USNA-00020368	May Use
P116	3/30/22	Email from Melody Hwang to Bruce Latta re: "LOAs" with attachment	USNA-00020448	USNA-00020449	May Use
P117	4/6/22	Email from Bruce Latta to Christie Munnely with "Board Actions & Offers" Document attached	USNA-00020475	USNA-00020479	May Use
P118	4/4/22	Email from Brad Baker to Bruce Latta re: "Board Actions," with attach	USNA-00020480	USNA-00020484	May Use
P119	3/4/22	Email from Melody Hwang to Christie Munnely re: "Supe Meeting Feedback"	USNA-00020508	USNA-00020509	May Use
P120	1/11/22	Email from Bushnell to Kertreck Brooks re: "NROTC Diversity, Equity, Inclusion"	USNA-00020538	USNA-00020548	May Use
P121	1/6/22	"MIDSHIPMEN ATTRITION SUMMARY" Excel File, MIDSHIPMEN ATTRITION SUMMARY AFRICAN AMERICAN" Excel File, and other files attached	USNA-00020569	USNA-00020580	May Use
P122	4/7/23	Email from Christie Munnely to Bruce Latta re: "Slate Review"	USNA-00020631	USNA-00020631	May Use
P123	4/2/23	Email from Bruce Latta to Melody Hwang with "HICS 1" Document attached	USNA-00020731	USNA-00020735	May Use
P124	3/16/23	Email from Bruce Latta to Christie Munnely re: "Board Actions"	USNA-00020832	USNA-00020833	May Use
P125	3/31/23	Email from Alexandra Fitzgerald to Bruce Latta and others, with attached "Welcome to the 61st Annual Conference of Service Academy Superintendents" Document	USNA-00020849	USNA-00020901	May Use
P126	2/28/23	Email from Melody Hwang to Christie Munnely re: "Supe Meeting Feedback" No.2	USNA-00020935	USNA-00020936	May Use
P127	3/23/22	Email from Bruce Latta to John Rudder with "Admissions Excellence - Marketing" Document, Admissions Excellence - Engagement Document, Admissions Excellence - Summer Programs" Document, and other document attached.	USNA-00020992	USNA-00020996	May Use

P128	3/21/22	Email from Bruce Latta to Will McShane with "Talking Points USD P & R" Document	USNA-00021019	USNA-00021020	May Use
P129	3/7/22	Email from Bruce Latta to Melody Hwang re: "tasked RFI," with Service Academy applicants, nominations, and selections" Excel File attachment	USNA-00021135	USNA-00021141	May Use
P130	2/17/22	Email from Melody Hwang with "Turn Down Schedule" Document attached	USNA-00021174	USNA-00021176	May Use
P131	3/1/22	Email from Frances Thompson to Bruce Latta re: "MAPWG" with "Tasker Data" Document, RFI re: "Actions to Improve Racial and Ethnic Diversity" Document, and Memorandum re: "Actions to Improve Racial and Ethnic Diversity" attached	USNA-00021197	USNA-00021278	May Use
P132	2/18/22	Email with "Audience Selection Recommendations" Document attached	USNA-00021293	USNA-00021308	May Use
P133	2/15/22	Email with Candidate SAT/GPA Excel File, Midshipman ACT data excel file, and Midshipmen Performance Comparison excel file attached	USNA-00021439	USNA-00021442	May Use
P134	2/9/22	Email from Melody Hwang to various recipients with "Turn Down Schedule" Document - 2022, other document attached	USNA-00021492	USNA-00021494	May Use
P135	2/3/22	Email from Bruce Latta to Christie Munnely re: "Offers & Board Actions" with attachment	USNA-00021502	USNA-00021504	May Use
P136	9/20/23	Email from Marcus Jones to Bruce Latta re: "Background Research"	USNA-00021818	USNA-00021818	May Use
P137	9/30/23	Email from Bruce Latta to Germel Clarke with "Admissions Activities" Excel File, other files attached	USNA-00021901	USNA-00022038	May Use
P138	8/25/22	Email from Alexandra Fitzgerald to Bruce Latta with Memo re: "Race Considerations Regarding Admission" attached	USNA-00022270	USNA-00022272	May Use
P139	6/21/22	Email from Jonathan Hollis to Bruce Latta re: "D&I Strategic Plan" with "Increase Cultural aptitude" Document attached	USNA-00022801	USNA-00022807	May Use
P140	3/23/23	Email from Tasya Lacy to Christie Munnely re: "Corrections"	USNA-00023409	USNA-00023410	May Use
P141	1/28/22	Email from Steve Vahsen to Dan O'Sullivan re: "Updated Attrition Statistics," with "Minority attrition" Excel File attachment	USNA-00023473	USNA-00023475	May Use
P142	1/24/22	Email from Steven Vahsen to Bob Brennan re: "AEB Monthly Meeting Reminder," with attachment	USNA-00023476	USNA-00023478	May Use
P143	11/14/22	Email with "Graduation and Attrition" Slides attached, additional attachment	USNA-00023874	USNA-00023888	May Use
P144	11/29/21	Email with "NAPS Program Status" Powerpoint attached, other attachment	USNA-00024056	USNA-00024058	May Use

P145	11/3/21	Email with "Reports for a report type" Powerpoint attached	USNA-00024162	USNA-00024163	May Use
P146	6/30/23	Email from Thomas Gregory to Christie Munnely re: "Supreme Court - Current Events"	USNA-00024392	USNA-00024392	May Use
P147	3/29/23	Email from Bob Brennan to Steve Vahsen with "Graduating Class Survey - Class 2022" Document, other documents attached	USNA-00024438	USNA-00024512	May Use
P148	7/31/23	Email from Steve Vahsen to David Forman re: "Any available time?" with attachment	USNA-00024565	USNA-00024599	May Use
P149	12/18/23	Email with "USNA High-Interest Topics December 2023" Document, other documents attached	USNA-00024640	USNA-00024676	May Use
P150	7/8/23	Email from Steve Vahsen to Steve Vahsen with "Whole Person Multiple (WPM)" Powerpoint attached	USNA-00025294	USNA-00025310	May Use
P151	6/30/23	Email from Steve Vahsen to Steve Vahsen with ""Foundation BOD" Powerpoint, other documents attached	USNA-00025320	USNA-00025368	May Use
P152	10/21/21	Email from Lou Gianotti to Vahsen re: "Read Ahead," with "Critical Legal Theory" Document attached	USNA-00025465	USNA-00025466	May Use
P153	7/11/22	Email from Cathy McGuire to Steve Vahsen with "Attrition Reason" Excel File attached	USNA-00025470	USNA-00025472	May Use
P154	8/10/22	Email from Alexandra Fitzgerald to Steve Vahsen re: "Organizational Climate," with various attachments	USNA-00025706	USNA-00025799	May Use
P155	10/21/21	Email from Steve Vahsen to Alana Garas re: "Here is some classroom stuff for you"	USNA-00025842	USNA-00025846	May Use
P156	10/14/21	Email from Steve Vahsen to Johnson re: "Health of Force Info"	USNA-00025850	USNA-00025851	May Use
P157	9/27/21	Email from Vahsen to Goldberg re: "GAO RFI"	USNA-00025864	USNA-00025866	May Use
P158	9/17/21	Email with "Board of Visitors" Document attached	USNA-00025875	USNA-00025945	May Use
P159	11/29/22	Email with "Board of Visitors" Powerpoint attached	USNA-00026329	USNA-00026330	May Use
P160	8/23/22	Email with "Report by Race-Ethnic Group" Document attached	USNA-00026372	USNA-00026378	May Use
P161	9/8/22	Email with NAPS 2022 Document attached	USNA-00026656	USNA-00026670	May Use
P162	8/9/22	Email with "Graduation Rate by Race-Ethnic Group" Document attached	USNA-00026674	USNA-00026683	Will Use
P163	7/17/22	Email from Bradley to Molloy re: "Graduation Rates"	USNA-00026684	USNA-00026688	May Use
P164	7/12/22	Email from Oneill to Vahsen re: "Class of 2023 Attrition"	USNA-00026720	USNA-00026721	May Use
P165	7/11/22	Email from Vahsen to McGuire re: "Class of 2023 Attrition"	USNA-00026726	USNA-00026727	May Use
P166	7/16/23	Email with "Brigade Diversity" Document attached	USNA-00026946	USNA-00026972	May Use
P167	3/7/22	Email with "Brigade Demographics" Powerpoint attached	USNA-00027563	USNA-00027594	May Use

P168	7/5/23	Email with "PROFESSIONAL & MORAL DEVELOPMENT" Excel File attached	USNA-00027062	USNA-00027063	May Use
P169	6/27/23	Email from Vahsen to Petermen re: "Hearing Service Academies," with "Promoting Racial Diversity at the Military Service Academies" Document No. 1 attached	USNA-00027140	USNA-00027145	May Use
P170	6/26/23	Email with Promoting Racial Diversity at the Military Service Academies Document No. 2 attached	USNA-00027146	USNA-00027150	May Use
P171	12/13/21	Email with "Checking In" Document attached	USNA-00027176	USNA-00027179	May Use
P172	12/2/21	Email from Bates to Vahsen re: "USNA DEI Data"	USNA-00027184	USNA-00027190	May Use
P173	12/3/21	Email with "Brigade Composition" Document attached	USNA-00027242	USNA-00027254	May Use
P174	12/7/21	Email from Vahsen to Lacy re: "USNA Attrition," with attachment	USNA-00027263	USNA-00027264	May Use
P175	11/18/21	Email with "Graduation and Attrition" Document attached	USNA-00027343	USNA-00027365	May Use
P176	12/16/21	"Graduation rate, percentage, USNA Class Year" Excel File	USNA-00027366	USNA-00027373	May Use
P177	4/4/22	Email with "Strategy Assessment and Recommendation" Document attached	USNA-00027383	USNA-00027410	May Use
P178	3/16/22	Email with "GRADUATION RATES" Excel File attached	USNA-00027621	USNA-00027623	May Use
P179	3/15/22	Email with "Reporting Race/Ethnicity" Document attached	USNA-00027760	USNA-00027763	May Use
P180	5/12/22	Email from Jones to Baker re: "Harvard Admissions Submission"	USNA-00028411	USNA-00028412	May Use
P181	5/2/22	Email from Baker to Jones re: "How Strong are the Racial Preferences of Universities"	USNA-00028413	USNA-00028413	May Use
P182	9/20/23	Email from Jones to Baker re: "Anti-Affirmative Action Group sues West Point"	USNA-00028415	USNA-00028416	May Use
P183	12/6/21	Email from Lacy to McFarlin re: "Inspire Program" with attachment	USNA-00028499	USNA-00028501	May Use
P184	3/2/22	Email with "New Diversity Officer" Powerpoint attached	USNA-00028574	USNA-00028579	May Use
P185	9/19/23	Email from Lacy to Chi re: "DEI Conversation"	USNA-00028582	USNA-00028583	May Use
P186	11/5/21	Email with "Putative Application" excel file attached	USNA-00028594	USNA-00028598	May Use
P187	3/17/23	Email from Looney to Herb re: "Cadet Attrition Data"	USNA-00029183	USNA-00029184	May Use
P188	3/15/23	Email from deKoven to Benitez re: "Cadet Attrition Data"	USNA-00029187	USNA-00029189	May Use
P189	8/17/22	Email from Gilbert to Neal re: "Moving the Needle"	USNA-00029196	USNA-00029196	May Use
P190	8/11/23	Email from McGuire to Segler re: "Data Request," with "PIVOT - Gender & Feeder" Excel File attached	USNA-00029362	USNA-00029368	May Use
P191	2/7/24	NAPS Notes	USNA-00001882	USNA-00001916	May Use
P192	2/7/24	NAPS Notes (cont.)	USNA-00001917	USNA-00001945	May Use
P193	7/16/24	"Relevant Actions from DOD D&I Strategic Plan" Document	USNA-00032231	USNA-00032234	May Use
P194	7/6/24	"N1 CNA STUDIES 2005-2024" Excel File	USNA-00031796	USNA-00031796	May Use

P195	7/6/24	"CAN Studies Since 2018 related to DEI" Document	USNA-00031773	USNA-00031795	May Use
P196	4/1/18	"Female and Minority Representation Among Navy Officers" Document	USNA-00030434	USNA-00030475	May Use
P197	2/1/19	"Drivers of Navy First-Term Attrition" Document	USNA-00030156	USNA-00030187	May Use
P198	3/1/23	"Improving Diversity in Marine Corps Officer Career Progression" Document	USNA-00030078	USNA-00030155	May Use
P199	11/16/21	Email with "Step Up and Lead for Equity A Preliminary Analysis in the Brigade" Powerpoint attached	USNA-00029360	USNA-00029361	May Use
P200	11/7/21	Email with "INSPIRE Program Background" Document attached	USNA-00028589	USNA-00028593	May Use
P202	3/23/22	Email with "Midshipmen Service Assignment" Document attached	USNA-00027479	USNA-00027505	May Use
P203	7/18/23	Email with "Diversity and Inclusion Strategic Plan" Document attached	USNA-00026996	USNA-00027028	May Use
P205	7/14/22	Email from Bates to Brady re: "Annapolis Graduation Rates"	USNA-00026705	USNA-00026708	May Use
P207	5/25/22	Email from Latta to Buck re: "Class Planning Methodology" with "Class Comparisons" Document - May 24 attached	USNA-00023077	USNA-00023080	May Use
P208	2/2/22	Email from Del Toro to Buck re: "USNA-Dodd Interest"	USNA-00016620	USNA-00016620	May Use
P209	7/4/24	"Delivering Through Diversity" Document	USNA-00013061	USNA-00013076	May Use
P210	6/24/24	"Diversity and Inclusion Report" Document	USNA-00012620	USNA-00012707	May Use
P211	7/11/24	"Officer Retention Rates" Document	USNA-00009814	USNA-00009820	May Use
P212	11/7/21	"Federal Data on Race and Ethnicity" Document	USNA-00004801	USNA-00004810	May Use
P213	4/21/24	"Black and Hispanic Marines" Document	USNA-00004147	USNA-00004204	May Use
P214	4/3/24	"USNA Student Demographics" Excel File	USNA-00003573	USNA-00003573	May Use
P215	2/7/24	"Diversity & Inclusion Admissions 2023"	USNA-00001106	USNA-00001128	May Use
P216	2/7/24	"2027 Class Stats 10 May 23" Document	USNA-00000662	USNA-00000662	May Use
P217	2/8/24	"Military Service Academies" Document	USNA-00000160	USNA-00000188	May Use
P218	7/15/24	Expert Report of Peter S. Arcidiacono with Appendices	N/A	N/A	May Use
P219	7/15/24	Expert Report of Richard D. Kahlenberg with Appendices	N/A	N/A	May Use
P220	7/15/24	Expert Report of Brigadier General (Ret) Christopher S. Walker with Appendices	N/A	N/A	May Use
P221	7/15/24	Expert Report of Dakota L. Wood with Appendices	N/A	N/A	May Use
P222	7/31/24	Rebuttal Expert Report of Peter S. Arcidiacono with Appendices	N/A	N/A	May Use
P223	7/31/24	Rebuttal Expert Report of Richard D. Kahlenberg with Appendices	N/A	N/A	May Use

P224	7/31/24	Rebuttal Expert Report of Brigadier General (Ret) Christopher S. Walker with Appendices	N/A	N/A	May Use
P225	7/31/24	Rebuttal Expert Report of Dakota L. Wood with Appendices	N/A	N/A	May Use
P226	7/15/24	Expert Report of Beth Bailey with Appendices	N/A	N/A	May Use
P227	7/15/24	Expert Report of Jason Lyall	N/A	N/A	May Use
P228	7/15/24	Expert Report of Jason Lyall - Exhibit A: Documents Considered	N/A	N/A	May Use
P229	7/15/24	Expert Report of Jason Lyall - Exhibit B: Curriculum Vitae	N/A	N/A	May Use
P230	7/15/24	Rule 26(a)(2)(C) Disclosures of John Sherwood	N/A	N/A	May Use
P231	7/15/24	Rule 26(a)(2)(C) Disclosures of Lt. Col. Katherine A. Batterton	N/A	N/A	May Use
P232	7/15/24	Rule 26(a)(2)(C) Disclosures of Lt. Col. Katherine A. Batterton - Exhibit A: Curriculum Vitae	N/A	N/A	May Use
P233	7/15/24	Rule 26(a)(2)(C) Disclosures of Lt. Col. Katherine A. Batterton - Exhibit B: Analysis of Navy and US Marine Corps Active Duty Officers Commissioning Through the US Naval Academy	N/A	N/A	May Use
P234	7/15/24	Rule 26(a)(2)(C) Disclosures of Jeannette Haynie with Appendix	N/A	N/A	May Use
P235	7/15/24	Rule 26(a)(2)(C) Disclosures of Stephanie Miller	N/A	N/A	May Use
P236	7/15/24	Rule 26(a)(2)(C) Disclosures of Stephanie Miller - Exhibit A: Analysis of Navy and US Marine Corps Active Duty Officers Commissioning Through the US Naval Academy	N/A	N/A	May Use
P237	7/15/24	Rule 26(a)(2)(C) Disclosures of Lisa Truesdale	N/A	N/A	May Use
P238	7/15/24	Rule 26(a)(2)(C) Amended Disclosures of Lisa Truesdale	N/A	N/A	May Use
P239	7/15/24	Rule 26(a)(2)(C) Amended Disclosures of Lisa Truesdale - Exhibit A: USN Officer Rate	N/A	N/A	May Use
P240	7/31/24	Expert Witness Rebuttal Report of Stuart Gurrea	N/A	N/A	May Use
P241	7/31/24	Expert Witness Rebuttal Report of Stuart Gurrea - Exhibit 1: Curriculum Vitae of Stuart D. Gurrea, Ph.D.	N/A	N/A	May Use
P242	7/31/24	Expert Witness Rebuttal Report of Stuart Gurrea - Exhibit 2: Deposition and trial testimony of Stuart D. Gurrea during the past four years	N/A	N/A	May Use
P243	7/31/24	Expert Witness Rebuttal Report of Stuart Gurrea - Exhibit 3: Materials Considered	N/A	N/A	May Use
P244	7/31/24	Expert Witness Rebuttal Report of Stuart Gurrea - Exhibit 4: Filtering of the Applications Database	N/A	N/A	May Use
P245	7/31/24	Expert Witness Rebuttal Report of Stuart Gurrea - Exhibit 5: Net RAB Points 2023–2027, by Reason and Source Categories	N/A	N/A	May Use

P246	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 6: Absolute RAB Points 2023–2027, by Reason and Source Categories	N/A	N/A	May Use
P247	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 7: College RAB Points 2023–2027	N/A	N/A	May Use
P248	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 8: Other RAB Points	N/A	N/A	May Use
P249	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 9: Cross Tabulation of Racial and Multiracial Identities	N/A	N/A	May Use
P250	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 10: Cross Tabulation of Multiracial and Hispanic or Latino Identities	N/A	N/A	May Use
P251	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 11: USNA Admission Offer Rate by Race and Ethnicity, 2023–2027	N/A	N/A	May Use
P252	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 12: USNA Admission Offer Rate by Arcidiacono Categorization of Race and Ethnicity, 2023–2027	N/A	N/A	May Use
P253	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 13: Candidates' Stated Adversity	N/A	N/A	May Use
P254	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 14: Regressions	N/A	N/A	May Use
P255	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 15: Changes in Enrollment Racial/Ethnic Breakdown for Classes of 2018-2027	N/A	N/A	May Use
P256	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 16: Racial Breakdown of USNA Offers, 2023-2027	N/A	N/A	May Use
P257	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Exhibit 17: Racial Breakdown in the U.S. and at USNA	N/A	N/A	May Use
P258	7/31/24	Expert Witness Rebuttal Report of Stuart Gurra - Appendix 1: Database Documentation	N/A	N/A	May Use
P259	12/1/23	Declaration of Bruce Latta. Dkt.46-2.	N/A	N/A	May Use
P260	12/1/23	Declaration of Bruce Latta - Exhibit 1: "United States Naval Academy Curriculum and Admissions Policy"	N/A	N/A	May Use
P261	12/1/23	Declaration of Bruce Latta - Exhibit 2: "Mission, Functions, and Tasks of the United States Naval Academy"	N/A	N/A	May Use
P262	12/1/23	Declaration of Bruce Latta - Exhibit 3: "Diversity and Inclusion Strategic Plan March 2021"	N/A	N/A	May Use

P263	12/1/23	Declaration of Bruce Latta - Exhibit 4: "Use of 'Affirmative Action' in Admissions Decisions"	N/A	N/A	May Use
P264	12/1/23	Declaration of John V. Fuller. Dkt.46-3.	N/A	N/A	May Use
P265	12/1/23	Declaration of Ashish Vazirani. Dkt.46-5.	N/A	N/A	May Use
P266	12/1/23	Declaration of John Sherwood and appendices. Dkt.46-7.	N/A	N/A	May Use
P267	12/1/23	Declaration of Jason Lyall. Dkt.46-9.	N/A	N/A	May Use
P268	12/1/23	Declaration of Jason Lyall - Appendix A: Curriculum Vitae	N/A	N/A	May Use
P269	12/1/23	Declaration of Jason Lyall - Appendix B: Works Cited	N/A	N/A	May Use
P270	12/1/23	Defendants' Preliminary-Injunction Exhibit I: "Secretary of Defense Lloyed J. Austin III Prepared Remarks"	N/A	N/A	May Use
P271	12/1/23	Defendants' Preliminary-Injunction Exhibit J: "Demographics 2010 Profile of the Military Community"	N/A	N/A	May Use
P272	12/1/23	Defendants' Preliminary-Injunction Exhibit K: "Diversity, Inclusion, and Equal Opportunity in the Armed Services: Background and Issues for Congress"	N/A	N/A	May Use
P273	12/1/23	Defendants' Preliminary-Injunction Exhibit L: "Department of Defense Board on Diversity and Inclusion Report"	N/A	N/A	May Use
P274	12/1/23	Defendants' Preliminary-Injunction Exhibit M: "Immediate Actions to Counter Extremism"	N/A	N/A	May Use
P275	12/1/23	Defendants' Preliminary-Injunction Exhibit N: "An Exploration of the Return on Investment for Diversity & Inclusion in the Military"	N/A	N/A	May Use
P276	12/1/23	Defendants' Preliminary-Injunction Exhibit O: "'We just feel it': Racism plagues US military academies"	N/A	N/A	May Use
P277	12/1/23	Defendants' Preliminary-Injunction Exhibit P: "Profile of the Military Community"	N/A	N/A	May Use
P278	12/1/23	Defendants' Preliminary-Injunction Exhibit Q: "United States Census Bureau QuickFacts"	N/A	N/A	May Use
P279	10/6/23	Declaration of James Hasson (Vol.1). Dkt.9-6.	N/A	N/A	May Use
P280	10/6/23	Declaration of James Hasson (Vol.2). Dkt.9-7.	N/A	N/A	May Use
P281	12/8/23	Rebuttal Declaration of Lt. Gen. Thomas W. Spoehr (Ret.). Dkt.54-1.	N/A	N/A	May Use
P282	12/12/23	Notice of Corrected Declaration. Dkt.55.	N/A	N/A	May Use
P283	12/12/23	Corrected Declaration of Stephen Bruce Latta. Dkt.55-1.	N/A	N/A	May Use
P284	5/30/24	Defendants Objections and Responses to Plaintiff's Second Set of Interrogatories.pdf	N/A	N/A	May Use

P285	2/1/24	Defendants Objections and Responses to Plaintiff's First Set of Interrogatories.pdf	N/A	N/A	May Use
P286	11/18/22	Email from Arthur Primas to Bruce Latta, with attachment	USNA-00017767	USNA-00017770	May Use
P287	3/6/24	Defendants Supplemental Interrogatory Responses.pdf	N/A	N/A	May Use
P288	7/11/22	Class of 2026 I-Day Demographics	USNA-00005988	USNA-00005990	May Use
P289	4/14/22	Tab A2 Accepts 15 April 2022	USNA-00023521	USNA-00023521	May Use
P290	6/4/24	USG Second Supp to First Set of Interrogatories.docx.pdf	N/A	N/A	May Use
P291	6/25/24	Defendants Second Supplemental Initial Disclosures.pdf	N/A	N/A	May Use
P292	3/14/19	Accepts 13 MAR 2019	USNA-00006698	USNA-00006698	May Use
P293	7/6/24	Defendants Supp Resp to Pls Second Set of Interrogatories.pdf	N/A	N/A	May Use
P294	7/15/24	Defs' Priv Log.pdf	N/A	N/A	May Use
P295	2/14/24	Reducing Barriers to Participation in Elite Units in the Armed Services	USNA-00009551	USNA-00009551	May Use
P296	5/28/24	30(b)(6) Deposition of Stephanie Bressler, Marisa Biondi, and Melody Hwang	N/A	N/A	May Use
P297	5/28/24	30(b)(6) Deposition of Stephanie Bressler, Marisa Biondi, and Melody Hwang - Exhibit 1: "Notice of Deposition"	N/A	N/A	May Use
P298	5/28/24	30(b)(6) Deposition of Stephanie Bressler, Marisa Biondi, and Melody Hwang - Exhibit 2: "Whole Person Multiple (WPM) Analysis"	N/A	N/A	May Use
P299	5/28/24	30(b)(6) Deposition of Stephanie Bressler, Marisa Biondi, and Melody Hwang - Exhibit 3: "AR -2 Bromley 630635 (American Indian male)"	N/A	N/A	May Use
P300	5/28/24	30(b)(6) Deposition of Stephanie Bressler, Marisa Biondi, and Melody Hwang - Exhibit 4: "Office of Admissions Dean's Meeting"	N/A	N/A	May Use
P301	7/18/24	Deposition of Jeannette Haynie - Exhibit 5: "2022 Demographics Profile of the Military Community"	N/A	N/A	May Use
P302	7/18/24	Deposition of Jeannette Haynie - Exhibit 4: Email from Latta to Hwang re: "USNA Applications"	N/A	N/A	May Use
P303	7/18/24	Deposition of Jeannette Haynie - Exhibit 2: "DoD Instruction 1020.05 - DoD Diversity and Inclusion Management Program"	N/A	N/A	May Use
P304	7/18/24	Deposition of Jeannette Haynie - Exhibit 1: "Notice of Deposition"	N/A	N/A	May Use
P305	7/18/24	Deposition of Jeannette Haynie - Exhibit 6: Office of People Analytics, "An Exploration of the Return on Investment for Diversity & Inclusion in the Military Using Cluster Analysis to Identify Force-Wide Climates, Correlates, and Implications"	N/A	N/A	May Use
P306	8/18/24	Deposition of CAPT Jason Birch – Exhibit 1: Defendants' Second Supplemental Initial Disclosures	N/A	N/A	May Use

P307	8/18/24	Deposition of CAPT Jason Birch – Exhibit 2: "Remain Optimistic about Racial and Gender Progress"	N/A	N/A	May Use
P308	8/12/24	Deposition of CAPT Edward Sundberg – Exhibit 1: Defendants' Second Supplemental Initial Disclosures	N/A	N/A	May Use
P309	8/12/24	Deposition of CAPT Edward Sundberg – Exhibit 2: USNA Instruction 1301.5L	N/A	N/A	May Use
P310	7/22/24	Deposition of Bruce Latta – Exhibit 1: Email From Latta to Christie Munnely re: "Board Actions From SR Today"	N/A	N/A	May Use
P311	7/22/24	Deposition of Bruce Latta – Exhibit 2: Email From Melody Hwang to Christie Munnely re: "Supe Meeting Feedback – 2 March 22"	N/A	N/A	May Use
P312	7/22/24	Deposition of Bruce Latta – Exhibit 3: Email From Melody Hwang to Bruce Latta re: "Offers 5/4"	N/A	N/A	May Use
P313	7/22/24	Deposition of Bruce Latta – Exhibit 4: Selections from 2024 Board Routing	N/A	N/A	May Use
P314	7/22/24	Deposition of Bruce Latta – Exhibit 5: Superintendent Remarks to Admissions Board Aug 2022"	N/A	N/A	May Use
P315	7/22/24	Deposition of Bruce Latta – Exhibit 6: Noms and Appts 10 April 2023	N/A	N/A	May Use
P316	7/22/24	Deposition of Bruce Latta – Exhibit 7: Email From Melody Hwang to Latta re: "Slate Declines 5-5"	N/A	N/A	May Use
P317	7/22/24	Deposition of Bruce Latta – Exhibit 8: "Office of Admissions Dean's Meeting"	N/A	N/A	May Use
P318	7/22/24	Deposition of Bruce Latta – Exhibit 9: "African American Qualified No Offers"	N/A	N/A	May Use
P319	7/22/24	Deposition of Bruce Latta – Exhibit 10: "Class Comparisons"	N/A	N/A	May Use
P320	7/22/24	Deposition of Bruce Latta – Exhibit 11: Data Produced With FQ/FQO Chart	N/A	N/A	May Use
P321	7/22/24	Deposition of Bruce Latta – Exhibit 12: "Race Considerations Regarding Admission to the United States Naval Academy"	N/A	N/A	May Use
P322	7/22/24	Deposition of Bruce Latta – Exhibit 13: Latta Dec.	N/A	N/A	May Use
P323	7/22/24	Deposition of Bruce Latta – Exhibit 14: "Profile: First Generation American"	N/A	N/A	May Use
P324	7/22/24	Deposition of Bruce Latta – Exhibit 15: "Profile – Hardship or Adversity"	N/A	N/A	May Use
P325	7/22/24	Deposition of Bruce Latta – Exhibit 16: "Profile – Hardship or Adversity"	N/A	N/A	May Use

P326	7/22/24	Deposition of Bruce Latta – Exhibit 17: "Profile: Language at Home Not English"	N/A	N/A	May Use
P327	7/22/24	Deposition of Bruce Latta – Exhibit 18: "Profile – RAB Other Reason"	N/A	N/A	May Use
P328	7/22/24	Deposition of Bruce Latta – Exhibit 19: "Audience Selection Recommendations 2022 Campaign Cycle"	N/A	N/A	May Use
P329	7/22/24	Deposition of Bruce Latta – Exhibit 20: Defendants' Objections and Second Supplemental Responses to Plaintiff's Second Set of Interrogatories	N/A	N/A	May Use
P330	7/22/24	Deposition of Bruce Latta – Exhibit 21: "Strategy Assessment and Recommendations"	N/A	N/A	May Use
P331	8/12/24	Objections and Responses to Third Set of Interrogatories.pdf	N/A	N/A	May Use
P332	3/21/19	Accepts 20 MAR 19	USNA-00006634	USNA-00006634	May Use
P333	8/12/24	USG Responses to Requests for Admissions.pdf	N/A	N/A	May Use
P334	6/8/23	"Nominations and Slate Update 7 June 2023" Document	USNA-00002615	USNA-00002618	May Use
P335	5/2/23	"Nominations and Slate Update 2 May 2023" Document	USNA-00002636	USNA-00002639	May Use
P336	4/5/23	"Nominations and Slate Update 4 April 2023" Document	USNA-00002644	USNA-00002645	May Use
P337	5/10/23	"Nominations and Slate Update 10 May 2023" Document	USNA-00002632	USNA-00002635	May Use
P338	6/21/23	"Nominations and Slate Update 20 June 2023" Document	USNA-00002611	USNA-00002614	May Use
P339	5/24/23	"Nominations and Slate Update 18 May 2023" Document	USNA-00002628	USNA-00002631	May Use
P340	5/24/23	"Nominations and Slate Update 23 May 2023" Document	USNA-00002624	USNA-00002627	May Use
P341	4/17/23	"Nominations and Slate Update 17 April 2023" Document	USNA-00002640	USNA-00002641	May Use
P342	5/24/23	"Nominations and Slate Update 31 May 2023" Document	USNA-00002620	USNA-00002623	May Use
P343	10/5/22	"Profile RAB w/ Other Reason – as of 2022-10-05" Document	USNA-00000501	USNA-00000501	May Use
P344	10/5/22	"Profile Hardship or Adversity – as of 2022-10-05" Document	USNA-00000502	USNA-00000502	May Use
P345	10/5/22	"Profile Language at Home Not English – as of 2022-10-05" Document	USNA-00000503	USNA-00000503	May Use
P346	6/22/23	"Profile Hardship or Adversity – as of 2023-06-22" Document	USNA-00000500	USNA-00000500	May Use
P347	9/16/22	"Profile – First Generation American – as of 2022-09-16" Document	USNA-00000504	USNA-00000504	May Use
P348	6/12/23	"Profile – Hardship or Adversity – as of 2023-06-12" Document	USNA-00001228	USNA-00001228	May Use
P349	5/23/23	"Tab A - Class of 2027 5-23-23" Document	USNA-00000659	USNA-00000659	May Use
P350	4/3/23	"Tab A - Class of 2027 4-3-23" Document	USNA-00000695	USNA-00000695	May Use
P351	3/2/23	"Tab A - Class of 2027 3-1-23" Document	USNA-00000667	USNA-00000667	May Use
P352	2/22/24	"DOJ Slate Review Report (Updated)" Document	USNA-00003528	USNA-00003528	May Use
P353	8/12/20	"Admissions Whole Person Multiple (WPM) Study" Document	USNA-00000505	USNA-00000505	May Use
P354	8/4/22	"Civilian Preparatory Pool 2023 Admissions Criteria" Document	USNA-00016040	USNA-00016042	May Use
P355	8/4/22	"Foundation 2023 admissions criteria final" Document	USNA-00016037	USNA-00016039	May Use

P357	9/7/22	"Admissions Board Briefing Template AY2023" Document	USNA-00005497	USNA-00005498	May Use
P358	9/7/22	Email with "USNA GPA and Placement Comparisons" Document attached	USNA-00022249	USNA-00022250	May Use
P359	11/1/21	Email with "UPDATED MERGED Latta_SAT-ACT Assessment Class of 2025_DATASET" Document attached	USNA-00024143	USNA-00024144	May Use
P360	8/2/23	Email with "2026 I-Day Cohort" Excel File attached	USNA-00019966	USNA-00019968	May Use
P361	2/28/23	Email with "Vahsen_AY18-AY22_Attrition_DATASET" Document, other documents attached	USNA-00024520	USNA-00024529	May Use
P362	5/25/23	"Class of 2027 Applications Begun vs Applications Completed" Document	USNA-00001358	USNA-00001358	May Use
P363	10/13/21	Email from Bradford to Latta re: "Health of the Force Info"	USNA-00025858	USNA-00025859	May Use
P364	7/14/23	Email from Fitzgerald to Bates re: "NAVY oversight testimony," with attachment	USNA-00026887	USNA-00026908	May Use
P365	6/16/23	Email from Hwang to Latta re: "WaitList for 2027," with "TD WL" Excel File attached	USNA-00018232	USNA-00018233	May Use
P366					
P367					
P368					
P369	5/13/21	20210511 QA List	USNA-00004588	USNA-00004588	May Use
P371	3/8/22	Email with "USNA Strategic Plan 2030 Planning Committee Efforts" Powerpoint attached	USNA-00027595	USNA-00027597	May Use
P372	3/31/23	Email from Cermak to Lacy re: "Advancing Equity in Higher Education" Pt. 2.	USNA-00028584	USNA-00028588	May Use
P373	7/13/23	Email from Vahsen to Zaraane re: "MSA Hearing Room" with attachment	USNA-00026863	USNA-00026867	May Use
P374	4/13/23	Email from Latta to Hwang re: "Prep Pool" with attachment	USNA-00020664	USNA-00020665	May Use
P375	11/1/22	Email from Skarwecki to Latta re: "LOA Scrub" with attachment	USNA-00019210	USNA-00019211	May Use
P376	6/9/23	Email with "USNA Applicants v. Admitted" Document attached	USNA-00018252	USNA-00018258	May Use
P377	4/10/23	Email with "NAAA Remaining Candidates" Document attached	USNA-00020756	USNA-00020761	May Use
P378	4/11/22	Email from Latta to Hwang re: "Meeting Follow-up"	USNA-00020380	USNA-00020381	May Use
P380	2/28/24	"2023 QA List for Ac Board" PDF	USNA-00015921	USNA-00015964	May Use
P381	2/28/24	"2024 QA List for Ac Board" PDF	USNA-00015851	USNA-00015920	May Use

P382	5/20/22	"2026 QA List for the Ac Board" PDF	USNA-00005389	USNA-00005424	May Use
P383	8/25/21	"RAB Adjustments Quick Reference" PDF	USNA-00000356	USNA-00000357	May Use
P384	8/25/21	"Guidance for RAB Adjustments" PDF	USNA-00000329	USNA-00000333	May Use
P385	2/15/24	"2027 QA List for the Ac Board" PDF	USNA-00003455	USNA-00003500	May Use
P386	12/20/19	AY18-19_Institutional_Effectiveness_Assessment_Report.pdf	USNA-00000527	USNA-00000547	May Use
P387	8/6/20	Whole Person Multiple Review.docx	USNA-00000631	USNA-00000631	May Use
P388	2/28/24	QA List for Ac Board (2025).pdf	USNA-00015839	USNA-00015845	May Use
P390	5/24/24	Copy of Whole Person Multiple (WPM) Analysis.pdf	USNA-00029695	USNA-00029708	May Use
P391	9/7/22	Email from Latta to Munnely re: "briefing sheet" with attachment	USNA-00019434	USNA-00019437	May Use
P393	7/14/23	Email from Zaraane to Vahsen re: "Hearing Room Confirmed"	USNA-00026838	USNA-00026841	May Use
P394	2/16/23	Email with 2022 USNA Letter to POTUS - Draft 20230214 - SV.docx attached	USNA-00019609	USNA-00019615	May Use
P395	12/7/23	Email with Academic Curriculum.docx, brigade diversity docs attached	USNA-00024683	USNA-00024726	May Use
P397	4/29/19	Nominations and Appointments Update April 19, 2019	USNA-00002790	USNA-00002792	May Use
P398	5/7/19	Nominations and Appointments Update May 7, 2019	USNA-00002785	USNA-00002786	May Use
P399	5/13/19	Nominations and Appointments Update May 13, 2019	USNA-00002783	USNA-00002784	May Use
P400	5/23/19	Nominations and Appointments Update May 23, 2019	USNA-00002781	USNA-00002781	May Use
P401	6/11/19	Nominations and Appointments Update June 11, 2019	USNA-00002779	USNA-00002779	May Use
P402	6/17/19	Nominations and Appointments Update June 17, 2019	USNA-00002778	USNA-00002778	May Use
P403	4/6/20	Nominations and Appointments Update April 6, 2020	USNA-00002771	USNA-00002773	May Use
P404	4/14/20	Nominations and Appointments Update April 14, 2020	USNA-00002769	USNA-00002770	May Use
P405	4/28/20	Nominations and Appointments Update April 28, 2020	USNA-00002767	USNA-00002768	May Use
P406	5/5/20	Nominations and Appointments Update May 5, 2020	USNA-00002765	USNA-00002766	May Use
P407	5/13/20	Nominations and Appointments Update May 13, 2020	USNA-00002761	USNA-00002762	May Use
P408	5/19/20	Nominations and Appointments Update May 19, 2020	USNA-00002760	USNA-00002760	May Use
P409	6/1/20	Nominations and Appointments Update June 1, 2020	USNA-00002758	USNA-00002758	May Use
P410	6/9/20	Nominations and Appointments Update June 9, 2020	USNA-00002757	USNA-00002757	May Use
P411	6/15/20	Nominations and Appointments Update June 15, 2020	USNA-00002755	USNA-00002756	May Use
P412	6/24/20	Nominations and Appointments Update June 22, 2020	USNA-00002753	USNA-00002754	May Use
P413	4/21/21	Nominations and Appointments Update April 20, 2021	USNA-00002748	USNA-00002749	May Use
P414	9/24/15	DoDI 1322.22	USNA-00000160	USNA-00000188	May Use
P415	4/26/21	Nominations and Appointments Update April 26, 2021	USNA-00002746	USNA-00002747	May Use

P416	5/3/21	Nominations and Appointments Update May 3, 2021	USNA-00002743	USNA-00002745	May Use
P417	5/11/21	Nominations and Appointments Update May 11, 2021	USNA-00002740	USNA-00002742	May Use
P418	5/17/21	Nominations and Appointments Update May 17, 2021	USNA-00002737	USNA-00002739	May Use
P419	5/24/21	Nominations and Appointments Update May 24, 2021	USNA-00002734	USNA-00002736	May Use
P420	6/1/21	Nominations and Appointments Update June 1, 2021	USNA-00002731	USNA-00002733	May Use
P421	6/8/21	Nominations and Appointments Update June 8, 2021	USNA-00002728	USNA-00002730	May Use
P422	6/14/21	Nominations and Appointments Update June 14, 2021	USNA-00002725	USNA-00002727	May Use
P423	4/13/22	Nominations and Appointments Update April 13, 2022	USNA-00002682	USNA-00002684	May Use
P424	4/21/22	Nominations and Appointments Update April 21, 2022	USNA-00002673	USNA-00002675	May Use
P425	4/25/22	Nominations and Appointments Update April 25, 2022	USNA-00002676	USNA-00002678	May Use
P426	5/10/22	Nominations and Appointments Update May 10, 2022	USNA-00002669	USNA-00002672	May Use
P427	5/23/22	Nominations and Appointments Update May 23, 2022	USNA-00002666	USNA-00002668	May Use
P428	6/1/22	Nominations and Appointments Update June 1, 2022	USNA-00002662	USNA-00002665	May Use
P429	6/6/22	Nominations and Appointments Update June 6, 2022	USNA-00002658	USNA-00002661	May Use
P430	6/10/22	Nominations and Appointments Update June 10, 2022	USNA-00002654	USNA-00002657	May Use
P431	6/27/22	Nominations and Appointments Update June 27, 2022	USNA-00002651	USNA-00002652	May Use
P434	10/3/22	Email with DoD DEI Strategic Plan 2022-23 attached	USNA-00019290	USNA-00019329	May Use
P435	4/14/23	Email with Prep Wait List (2023-04-13) attached	USNA-00020707	USNA-00020709	May Use
P436	5/5/20	HIC Class of 2024 (May 5, 2020)	USNA-00032521	USNA-00032528	May Use
P437	4/17/24	2018 Class Portrait	USNA-00032517	USNA-00032520	May Use
P438	4/17/24	2019 Class Portrait	USNA-00032513	USNA-00032516	May Use
P439	8/30/16	2020 Class Portrait	USNA-00032509	USNA-00032512	May Use
P440	10/4/17	2021 Class Portrait	USNA-00032505	USNA-00032508	May Use
P441	4/22/24	2022 Class Portrait	USNA-00032504	USNA-00032504	May Use
P442	5/13/22	Slate Declines 5-13	USNA-00032759	USNA-00032759	May Use
P443	5/12/23	Email from Anne to Latta re: "Affirmative Action"	USNA-00031798	USNA-00031799	May Use
P444	5/10/23	ODEI_2022_DoD Officer Retention and Promotion Barrier Analysis	USNA-00032081	USNA-00032128	May Use
P445	2/14/24	MLDC Report	USNA-00011605	USNA-00011766	May Use
P446	2/13/24	The Air Force and Diversity The Awkward Embrace (COL. Streeter, Suzanne M.).pdf	USNA-00009350	USNA-00009378	May Use
P448	11/7/21	Diversity Brief COI 2021 Presentation.pptx	USNA-00028601	USNA-00028602	May Use

P449	2/14/24	Ethnic diversity deflates price bubbles (Levine, Sheen S., et al.).pdf	USNA-00012497	USNA-00012502	May Use
P450	2/11/24	"Does the Navy's New Emphasis on 'Diversity' Put the Nation At Risk?" Article	SFFA-USNA-000037	SFFA-USNA-000051	May Use
P451	2/6/24	NPS_Diversity_Categories-rev.4.1-titles only.pdf	USNA-00031716	USNA-00031765	May Use
P452	5/24/24	NPS study projects since FY14 start	USNA-00031766	USNA-00031766	May Use
P453	5/21/24	NPS study projects since FY14 start (004).xlsx	USNA-00031767	USNA-00031767	May Use
P454	5/24/24	Docs for DEI RFI.docx	USNA-00031768	USNA-00031772	May Use
P455	3/24/20	Tab E HICS Class of 2024 25 Mar 20	USNA-00032682	USNA-00032688	May Use
P456	6/9/20	TAB D1 HICs Class of 2024.docx	USNA-00032695	USNA-00032705	May Use
P457	6/4/19	HIC2023.docx	USNA-00032837	USNA-00032848	May Use
P458	12/2/22	Tab E HICS Class of 2027 29 Nov 22.docx	USNA-00032860	USNA-00032863	May Use
P459	11/17/23	OPNAVINST 5450.330B.pdf	USNA-00000233	USNA-00000242	May Use
P460	10/18/19	Roster For The Dean OCT CVW (3).xlsx	USNA-00006337	USNA-00006337	May Use
P461	8/14/22	Email with Admissions.docx attached	USNA-00025966	USNA-00026013	May Use
P463	8/9/24	SFFA Articles of Incorporation	SFFA-USNA-000286	SFFA-USNA-000291	May Use
P464	8/14/24	Rule 1006 Summary 1: Number of Cases Where Candidate With Highest WPM on Slate Was Routed to QA or AA Slot	N/A	N/A	Will Use
P465	8/14/24	Rule 1006 Summary 2: Class Comparison Reviews During the 2021-22 Admissions Cycle	N/A	N/A	Will Use
P466	8/14/24	Rule 1006 Summary 3: NASS Attendees Offered Admission to USNA or NAPS – By Race	N/A	N/A	Will Use
P467	8/14/24	Rule 1006 Summary 4 – Candidates With NQ Status Overruled – By Race	N/A	N/A	Will Use
P468	8/14/24	Rule 1006 Summary 5 – Medical Waivers – By Race	N/A	N/A	Will Use
P469	8/14/24	Rule 1006 Summary 6: Admissions Rates for Candidates Listed on "No Offer" Reports	N/A	N/A	Will Use
P470	8/14/24	Rule 1006 Summary 7: Average WPM Score for Admits – By Race and Ethnicity	N/A	N/A	Will Use
P471	12/1/23	Defendants' preliminary-injunction opposition brief. <i>See</i> Dkt. 46.	N/A	N/A	May Use
P472	7/30/24	Deposition of Steve Vahsen – Exhibit 1	N/A	N/A	Will Use
P473	7/30/24	Deposition of Steve Vahsen – Exhibit 2	N/A	N/A	May Use
P474	7/30/24	Deposition of Steve Vahsen – Exhibit 3	N/A	N/A	May Use

P475	7/30/24	Deposition of Steve Vahsen – Exhibit 4	N/A	N/A	May Use
P476	7/30/24	Deposition of Steve Vahsen – Exhibit 5	N/A	N/A	May Use
P477	7/30/24	Deposition of Steve Vahsen – Exhibit 6	N/A	N/A	May Use
P478	7/30/24	Deposition of Steve Vahsen – Exhibit 7	N/A	N/A	May Use
P479	7/30/24	Deposition of Steve Vahsen – Exhibit 8	N/A	N/A	May Use
P480	7/30/24	Deposition of Steve Vahsen – Exhibit 9	N/A	N/A	May Use
P481	7/30/24	Deposition of Steve Vahsen – Exhibit 10	N/A	N/A	May Use
P482	7/30/24	Deposition of Steve Vahsen – Exhibit 11	N/A	N/A	May Use
P483	7/30/24	Deposition of Steve Vahsen – Exhibit 12	N/A	N/A	May Use
P484	7/30/24	Deposition of Steve Vahsen – Exhibit 13	N/A	N/A	May Use
P485	7/30/24	Deposition of Steve Vahsen – Exhibit 14	N/A	N/A	May Use
P486	7/30/24	Deposition of Steve Vahsen – Exhibit 15	N/A	N/A	May Use
P487	7/30/24	Deposition of Steve Vahsen – Exhibit 16	N/A	N/A	May Use
P488	7/30/24	Deposition of Steve Vahsen – Exhibit 17	N/A	N/A	May Use
P489	7/30/24	Deposition of Steve Vahsen – Exhibit 18	N/A	N/A	May Use
P490	7/30/24	Deposition of Steve Vahsen – Exhibit 19	N/A	N/A	May Use
P491	8/9/24	Deposition of Melody Hwang – Exhibit 1	N/A	N/A	May Use
P492	8/9/24	Deposition of Melody Hwang – Exhibit 2	N/A	N/A	May Use
P493	8/9/24	Deposition of Melody Hwang – Exhibit 3	N/A	N/A	May Use
P494	8/9/24	Deposition of Melody Hwang – Exhibit 4	N/A	N/A	May Use
P495	8/9/24	Deposition of Melody Hwang – Exhibit 5	N/A	N/A	May Use
P496	8/9/24	Deposition of Melody Hwang – Exhibit 6	N/A	N/A	May Use
P497	8/9/24	Deposition of Melody Hwang – Exhibit 7	N/A	N/A	May Use
P498	8/9/24	Deposition of Melody Hwang – Exhibit 8	N/A	N/A	May Use
P499	8/9/24	Deposition of Melody Hwang – Exhibit 9	N/A	N/A	May Use
P500	8/9/24	Deposition of Melody Hwang – Exhibit 10	N/A	N/A	May Use
P501	8/6/24	Deposition of Vice Admiral John Fuller – Exhibit 1	N/A	N/A	May Use
P502	8/6/24	Deposition of Vice Admiral John Fuller – Exhibit 2	N/A	N/A	May Use
P503	8/6/24	Deposition of Vice Admiral John Fuller – Exhibit 3	N/A	N/A	May Use
P504	8/6/24	Deposition of Vice Admiral John Fuller – Exhibit 4	N/A	N/A	May Use
P505	8/8/24	Deposition of Lisa Truesdale – Exhibit 1	N/A	N/A	May Use
P506	8/8/24	Deposition of Lisa Truesdale – Exhibit 2	N/A	N/A	May Use
P507	8/8/24	Deposition of Lisa Truesdale – Exhibit 3	N/A	N/A	May Use
P508	8/8/24	Deposition of Lisa Truesdale – Exhibit 4	N/A	N/A	May Use

P509	8/1/24	Deposition of Katherine Batterton – Exhibit 1	N/A	N/A	May Use
P510	8/1/24	Deposition of Katherine Batterton – Exhibit 2	N/A	N/A	May Use
P511	7/20/24	Deposition of Master Chief Anna Wood – Exhibit 1	N/A	N/A	May Use
P512	7/20/24	Deposition of Master Chief Anna Wood – Exhibit 2	N/A	N/A	May Use
P513	7/20/24	Deposition of Master Chief Anna Wood – Exhibit 3	N/A	N/A	May Use
P514	7/20/24	Deposition of Master Chief Anna Wood – Exhibit 4	N/A	N/A	May Use
P515	2/1/23	Email from Melody Hwang to herself with attachment "use Slate Review 2023-02-01"	USNA-00017072	USNA-00017073	May Use
P516	9/7/22	Email from Melody Hwang to Katherine McAllister, with attachment "Slate Review-2022-09-07"	USNA-00017206	USNA-00017207	May Use
P517	8/14/24	Amended Expert Report of Christopher S. Walker	N/A	N/A	May Use
P518	8/7/24	Supplemental Expert Report of Peter Arcidiacono	N/A	N/A	May Use
P519	1/24/24	Class of 2023 Portrait	USNA-00004382	USNA-00004385	May Use
P520	8/19/23	Class of 2027 Profile	USNA-00004386	USNA-00004386	May Use
P521	1/24/24	Class of 2025 Portrait	USNA-00004387	USNA-00004389	May Use
P522	1/24/24	Class of 2024 Portrait	USNA-00004390	USNA-00004393	May Use
P523	1/24/24	Class of 2026 Portrait	USNA-00004394	USNA-00004397	May Use
P524	1/16/24	"Maintain Candidate Evaluation Summary"	USNA-00003776	USNA-00003792	May Use
P525	6/29/19	Superintendent's Admissions Guidance for Class of 2024	USNA-00003822	USNA-00003825	May Use
P526	6/6/07	CNA Report "Emerging Issues in USMC Recruiting"	USNA-00004205	USNA-00004250	May Use
P527	4/4/23	"Principals" excel file	USNA-00005572	USNA-00005572	May Use
P528	3/5/22	Attrition Excel File	USNA-00005890	USNA-00005890	May Use
P529	8/26/21	Admissions Board Training 2021 SupeDean Guidance	USNA-00005906	USNA-00005940	May Use
P530	2/23/22	Email from Daniel Schmerber to Melody Hwang	USNA-00016863	USNA-00016863	May Use
P531	1/10/24	Email From Lauren Zaccheo to Dean Latta with attachments Admissions Medical Powerpoint, CGO – Admissions Training Aug 2023 – PrepSchool, other attachments	USNA-00018807	USNA-00018907	May Use
P532	2/22/22	Email from Dean Latta to James Bates with attachment "SASC PSMs Feb 22"	USNA-00021402	USNA-00021402	May Use
P533	4/15/22	Email from Melody Hwang to Dean Latta re Board 14 Apr 22	USNA-00020353	USNA-00020353	May Use
P534	3/3/22	HICS Class of 2026 30 MAR 22	USNA-00032974	USNA-00032979	May Use
P535	4/14/22	Email from Christie Munnely to Dean Latta regarding board actions	USNA-00020354	USNA-00020354	May Use
P536	2/25/19	Nikki Graf, "Most Americans Say Colleges Should Not Consider Race or Ethnicity in Admissions," Pew Research Center (Kahlenberg Rebuttal Report n.25)	N/A	N/A	May Use

P537	4/26/22	Vianney Gomez, "As court weigh affirmative action, grades and test scores seen as top factors in college admissions," Pew Research Center (Kahlenberg Rebuttal Report n.25)	N/A	N/A	May Use
P538	2/11/23	Charles Lane, "U-Michigan Gets Broad Support on Using Race," Washington Post, (Kahlenberg Rebuttal Report n.26)	N/A	N/A	May Use
P539	11/17/15	Robert P. Jones, et al., "Anxiety, Nostalgia and Mistrust: Findings from the 2015 American Values Survey," Public Religion Research Institute (Kahlenberg Rebuttal Report n.27)	N/A	N/A	May Use
P540	1997	Paul M. Sniderman & Edward G. Carmines, "Reaching Beyond Race," Harvard University Press, (Kahlenberg Rebuttal Report n.28)	N/A	N/A	May Use
P541	1993	Paul M. Sniderman & Thomas Leonard Piazza, "The Scar of Race," Harvard	N/A	N/A	May Use
P542	5/9/22	Brief for Veterans for Fairness and Merit as Amicus Curiae Supporting Petitioner, Students for Fair Admissions v. Harvard	N/A	N/A	May Use
P543	7/11/23	Master Charging Report 2027	USNA-00015846	USNA-00015846	May Use
P544	7/25/22	Master Charging Report 2026	USNA-00015847	USNA-00015847	May Use
P545	7/25/22	Master Charging Report 2025	USNA-00015848	USNA-00015848	May Use
P546	3/22/24	Master Charging Report 2024	USNA-00015849	USNA-00015849	May Use
P547	3/22/24	Master Charging Report 2023	USNA-00015850	USNA-00015850	May Use
P548	2/12/24	HEDA Individual Slates 2024-02-12	USNA-00004856	USNA-00004856	May Use
P549	4/24/23	Military Diversity in Multinational Defence: Environments From Ethnic Intolerance to Inclusion	USNA-00010111	USNA-00010296	May Use
P550	6/7/22	20220607 Dean_s Brief.pptx	USNA-00004999	USNA-00004999	May Use
P551	5/24/22	20220524 Dean_s Brief.pptx	USNA-00005000	USNA-00005000	May Use
P552	5/17/22	20220517 Dean_s Brief.pptx	USNA-00005001	USNA-00005001	May Use
P553	5/5/22	20220503 Dean_s Brief.pptx	USNA-00005002	USNA-00005002	May Use
P554	4/26/22	20220426 Dean_s Brief.pptx	USNA-00005003	USNA-00005003	May Use
P555	4/19/22	20220419 Dean_s Brief.pptx	USNA-00005004	USNA-00005004	May Use
P556	3/29/22	20220329 Dean_s Brief.pptx	USNA-00005005	USNA-00005005	May Use
P557	3/22/22	20220322 Dean_s Brief.pptx	USNA-00005006	USNA-00005006	May Use
P558	3/15/22	20220315 Dean_s Brief.pptx	USNA-00005007	USNA-00005007	May Use
P559	2/1/22	20220201 Dean_s Brief.pptx	USNA-00005011	USNA-00005011	May Use
P560	1/25/22	20220125 Dean_s Brief.pptx	USNA-00005012	USNA-00005012	May Use
P561	1/18/22	20220118 Dean_s Brief.pptx	USNA-00005013	USNA-00005013	May Use
P562	1/4/22	20220104 Dean_s Brief.pptx	USNA-00005014	USNA-00005014	May Use
P563	12/21/21	20211221 Dean_s Brief.pptx	USNA-00005015	USNA-00005015	May Use

P564	12/14/21	20211214 Dean_s Brief.pptx	USNA-00005016	USNA-00005016	May Use
P565	11/30/21	20211130 Dean_s Brief.pptx	USNA-00005017	USNA-00005017	May Use
P566	11/23/21	20211123 Dean_s Brief.pptx	USNA-00005018	USNA-00005018	May Use
P567	11/17/21	20211117 Dean_s Brief.pptx	USNA-00005019	USNA-00005019	May Use
P568	11/10/21	20210303 Dean_s Brief.pptx	USNA-00005020	USNA-00005020	May Use
P569	10/26/21	20211026 Dean_s Brief.pptx	USNA-00005021	USNA-00005021	May Use
P570	10/19/21	20211019 Dean_s Brief.pptx	USNA-00005022	USNA-00005022	May Use
P571	9/28/21	20210928 Dean_s Brief.pptx	USNA-00005024	USNA-00005024	May Use
P572	9/14/21	20210914 Dean_s Brief.pptx	USNA-00005026	USNA-00005026	May Use
P573	9/1/21	20210901 Dean_s Brief.pptx	USNA-00005027	USNA-00005027	May Use
P574	8/17/21	20210817 Dean_s Brief.pptx	USNA-00005028	USNA-00005028	May Use
P575	8/10/21	20210810 Dean_s Brief.pptx	USNA-00005029	USNA-00005029	May Use
P576	7/27/21	20210727 Dean_s Brief.pptx	USNA-00005030	USNA-00005030	May Use
P577	3/4/24	DOJ Applications (2023)	USNA-00005465	USNA-00005465	May Use
P578	3/4/24	General Information 1a (2023)	USNA-00003546	USNA-00003546	May Use
P579	3/4/24	General Information 1a (2024)	USNA-00003534	USNA-00003534	May Use
P580	3/4/24	DOJ Applications (2024)	USNA-00005464	USNA-00005464	May Use
P581	1/28/22	Asian and Other Qualified No Offers 2022-01-28	USNA-00006031	USNA-00006031	May Use
P582	1/28/22	Hispanic or Latino Qualified No Offers 2022-01-28	USNA-00006024	USNA-00006024	May Use
P583	1/28/22	African American Qualified No Offers 2022-01-28	USNA-00006037	USNA-00006037	May Use
P584	3/10/21	Asian and Other Qualified No Offers 2021-03-08-	USNA-00004604	USNA-00004604	May Use
P585	3/10/21	Hispanic or Latino Qualified No Offers 2021--03-08-	USNA-00004605	USNA-00004605	May Use
P586	3/10/21	African American Qualified No Offers 2021--03-08-	USNA-00004606	USNA-00004606	May Use
P587	3/11/22	African American Qualified No Offers 2022--03-11-	USNA-00006066	USNA-00006066	May Use
P588	1/14/22	African American Qualified No Offers 2022--01-14	USNA-00006038	USNA-00006038	May Use
P589	2/6/22	African American Qualified No Offers 2022--02-06	USNA-00006036	USNA-00006036	May Use
P590	3/4/24	General Information (2025)	USNA-00003564	USNA-00003564	May Use
P591	3/4/24	General Information (2026)	USNA-00003563	USNA-00003563	May Use
P592	3/4/24	General Information (2027)	USNA-00003562	USNA-00003562	May Use
P593	3/4/24	DOJ Applications (2027)	USNA-00005461	USNA-00005461	May Use
P594	3/4/24	DOJ Applications (2026)	USNA-00005462	USNA-00005462	May Use
P595	3/4/24	DOJ Applications (2025)	USNA-00005463	USNA-00005463	May Use
P596					
P597	8/24/22	Leveraging Diversity for Military Effectiveness	USNA-00033374	USNA-00033471	May Use

P598	5/22/18	Leveraging Diversity for Global Leadership	USNA-00033672	USNA-00033701	May Use
P599	11/4/16	Why Diverse Teams Are Smarter	USNA-00033707	USNA-00033712	May Use
P600	8/11/24	Task Force One Navy: Our Navy Team – Navigating A Course to True North	N/A	N/A	May Use
P601	7/26/17	Marine Corps Operations	USNA-00010305	USNA-00010583	May Use
P602	8/10/20	Marine Corps Planning Process	USNA-00010584	USNA-00010788	May Use
P603	4/24/20	Naval Doctrine Publication 1, Naval Warfare	USNA-00009854	USNA-00009941	May Use
P604	5/4/22	Force Design 2030 (USMC)	USNA-00011585	USNA-00011603	May Use
P605	1/11/22	Defense Organizational Climate Survey Redesign	USNA-00031112	USNA-00031715	May Use
P606	7/12/17	JP1: Doctrine for the Armed Forces of the United States	USNA-00010826	USNA-00010999	May Use
P607	12/15/20	Blue Star Equity Series, Spotlight on Military Families	USNA-00009731	USNA-00009733	May Use
P608	6/15/21	USNA Waitlist 6-15-21	USNA-00004585	USNA-00004585	May Use
P609	2/12/24	2025 USNA Wait List (11)	USNA-00004855	USNA-00004855	May Use
P610	6/14/24	DOJ_USNA Class Years 2014-2024_Service Assignment by Race-Ethnic Group by Class Year	USNA-00030476	USNA-00030486	May Use
P611	4/4/23	"Asian and Other Qualified No Offers-2023-04-04-21-10-18" Excel File	USNA-00005570	USNA-00005570	May Use
P612	4/4/23	"Hispanic or Latino Qualified No Offers-2023-04-04-21-07-27" Excel file	USNA-00005569	USNA-00005569	May Use
P613	4/4/23	"African American Qualified No Offers-2023-04-04-21-04-22" Excel File	USNA-00005571	USNA-00005571	May Use

APPENDIX B

Exhibit Number	Description
DX-1	Written RAB Guidance, USNA-00000070
DX-2	RAB Quick Reference Guide, USNA-00000078
DX-3	Dean's Guidance for the Class of 2028, USNA-00000146
DX-4	Supe's Guidance for the Class of 2028, USNA-00000152
DX-5	OPNAVINST 5450.330B, USNA-00000233
DX-6	HASC PSM RFI - 1 November 2022, USNA-00000389
DX-7	March 2021 D&I Strategic Plan, USNA-00000391
DX-8	Hardship or Adversity-2023-06-22-08-52-02, USNA-00000500
DX-9	Other RAB w Reason-2022-10-05-17-39-59, USNA-00000501
DX-10	Hardship or Adversity-2022-10-05-17-33-15, USNA-00000502
DX-11	First Generation American-2022-09-16-08-20-53, USNA-00000504
DX-12	RSO Charts March 2010, USNA-00000506
DX-13	AY18-19 Institutional Effectiveness Assessment Report, USNA-00000527
DX-14	AEB AY17-18 Institutional Effectiveness Assessment Report, USNA-00000568
DX-15	2027 Charging Memo, USNA-00000678
DX-16	Training Week 2023 Diversity Brief Admissions Aug 2023, USNA-00001106
DX-17	Production Report (Official) Jun 23, USNA-00001246

Exhibit Number	Description
DX-18	Production Report (Official) Sept. 22, USNA-00001355
DX-19	2014 CMC White Letter 3-14 Div. TF Initiative, USNA-00003958
DX-20	CMC White Letter 2-13 CMC Diversity Task Force, USNA-00003960
DX-21	Inc Black Rep in USMC TACAIR Pilot Corps, USNA-00003962
DX-22	NPS-Mar 2021- A Location-Based Inspection of Diversity in Marine Corps Officer Accessions, USNA-00004251
DX-23	MSA Nominations, USNA-00004816
DX-24	20210901 Dean's Brief, USNA-00005027
DX-25	Summer STEM Selection Criteria- Program Cycle 2024, USNA-00002650
DX-26	Copy of JOINT TRAINING DAY 17MAY18 BRIEF, USNA-00005378
DX-27	Slate review memo class of 2023 (9 Oct 18 draft), USNA-00006557
DX-28	USNA Diversity and Outreach Initiatives in Title I High Schools, USNA-00006699
DX-29	Diversity Conf Brief Apr 22 1200, USNA-00020360
DX-30	Q on Each Slate for Underrep-2023-07-13-10-28-12, USNA-00016851, USNA-00016853, and USNA-00016854
DX-31	2022 Graduating Class Survey Results (final), USNA-00024462
DX-32	Class 2022 Graduating Class Survey - All questions (charts), USNA-00024471

Exhibit Number	Description
DX-33	Graduating Class Surveys (2021, 2022), delivered to AEB for SLT v3 (Brennan final Aug 8), USNA-00024512
DX-34	AEB Memo on SLT questions 25MAY23, USNA-00025312
DX-35	GAO-22-105130, USNA-00025714
DX-36	Karabel, UC Berkeley, USNA Class Years 1975-2021 - Race-Ethnic Group, USNA-00026365
DX-37	Diversity Slides Brigade Leadership, USNA-00028575
DX-38	Diversity Brief COI 2021 Presentation, USNA-00028602
DX-39	USMC DEI Strategic Plan Final, USNA-00028687
DX-40	DOJ-USNA Class Years 2014-2024, Service Assignment by Race-Ethnic Group by Class Year, USNA-00030476
DX-41	2019 WEOR CoH Survey Note, USNA-00030957
DX-42	2019 WEOR Impact – Racial, Ethnic, Harassment Discrimination Readiness Final, USNA-00030975
DX-43	ROI DI Report Final, USNA-00030980
DX-44	DEOCSPHase1 Report, USNA-00031112
DX-45	U.S. Dep't of Defense, 2022 National Defense Strategy of the United States of America, USNA-00014543
DX-46	From Representation to Inclusion: Diversity Leadership for the 21st-Century Military Final Report, USNA-00011605

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DX-48	DoD Demographics 2010 (2010), USNA-00033142
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DX-50	Department of Defense Board on Diversity and Inclusion Report: Recommendations to Improve Racial and Ethnic Diversity and Inclusion in the Military (2020) (“DoD D&I Report”), USNA-00012620
DX-51	Secretary of Defense Memo (Apr. 9, 2021), USNA-00034104
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DX-66	Navy Strategic Guidance, USNA-00033835
DX-67	Del Toro Congressional Statement, USNA-00033843
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DX-72	Copy of Whole Person Multiple (WPM) Analysis, USNA-00029695
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DX-131	Military Diversity: A Key American Strategic Asset, USNA-00010297
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DX-134	How Inequality Hobbles Military Power, USNA-00011433
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DX-165	Statement of Vice Admiral Sean S. Buck, USN, Before the House Subcommittee on Military Personal (July 19, 2023), USNA-00026981
DX-166	AEB AY21-22 Institutional Effectiveness Assessment Report, USNA-00000588
DX-167	Carla Koppell, Reuben E. Brigety, and Jamille Bigio (2021) Transforming International Affairs Education to Address Diversity, Equity, and Inclusion. Council on Foreign Relations, USNA-00008230
DX-168	Cody Schuette. (2020). Improving the Civil-Military Relationship: Diversity and the U.S. Army. Journal of Strategic Security, USNA-00011273
DX-169	Internal Review Team on Racial Disparities in the Investigative and Military Justice System. (2022, August 31). U.S. Department of Defense, USNA-00011000

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DX-170	Joslyn Fleming et al., Women, Peace, and Security in Action: Including Gender Perspectives in Department of Defense Operations, Activities, and Investments (RAND Corporation, 2023), USNA-00007062
DX-171	Nelson Lim, Louis Mariano, Amy Cox, David Schulker, and Lawrence Hanser (2014). Improving Demographic Diversity in the U.S. Air Force Officer Corps. RAND Corporation, USNA-00011333
DX-172	Vincenzo Bove et al., Improving Peacekeeping Effectiveness by Increasing Diversity of Mission Composition (International Forum for the Challenges of Peace Operations 2020), USNA-00011319
DX-173	William D. Wunderle, Through the Lens of Cultural Awareness: A Primer for US Armed Forces Deploying to Arab and Middle Eastern Countries (Combat Studies Institute Press 2006), USNA-00008345
DX-174	U.S. Marine Corps, Marine Corps Doctrinal Publication 1: Warfighting (June 20, 1997), USNA-00007236
DX-175	2017 DoD demographics report, USNA-00034107
DX-176	Daphne S. L. Wong, Exploring the Impact of Team Building on Group Cohesion of a Multicultural Team (Pepperdine Digital Commons 2015), USNA-00012228
DX-177	SecDef Esper 2020 Memo, USNA-00033713
DX-178	SecDef Esper 2020 Statement, USNA-00033702

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DX-181	Advancement and Retention Barriers in the U.S. Air Force Civilian White Collar Workforce: Implications for Demographic Diversity. RAND Corporation, USNA-00033472
DX-182	Conflict Prevention through the Protection of the Human Rights of Minorities (United Nations Special Rapporteur on Minority Issues, 2022), USNA-00033327
DX-183	Token Female Voice Enactment in Traditionally Male-Dominated Teams: Facilitating Conditions and Consequences for Performance, Academy of Management Journal (2019), USNA-00033780
DX-184	Gender Perspectives and Military Effectiveness: Implementation UNSCR 1325 and the National Action Plan on Women, Peace, and Security, USNA-00033355
DX-185	Leveraging Diversity for Military Effectiveness: Diversity, Inclusion and Belonging in the UK and US Armed Forces, RAND Corporation (2022), USNA-00033374
DX-186	Leveraging Diversity for Global Leadership. Center for Strategic and International Studies, USNA-00033672
DX-187	Dep't of Defense Office of People Analytics, Fall 2022 Propensity Update, USNA-00033657

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