

EXHIBIT A(1)

Department of Defense Stipulation

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NEETA THAKUR, et al.,	)	CASE NO. 3:25-cv-04737-RL
	)	
Plaintiffs,	)	
	)	
vs.	)	Parties' Stipulations and Agreement to Obviate
	)	Discovery as to DoD and DoD's Stipulations of
DONALD J. TRUMP, ET AL.,	)	Fact and Agreement to Produce Grants
	)	Spreadsheet
Defendants.	)	
	)	

Plaintiffs and DoD hereby agree that, with respect to the claims and defenses in this litigation as to DoD, neither Plaintiffs nor DoD shall seek discovery under the Federal Rules of Civil Procedure, whether written, by deposition, or otherwise, subject to the terms in this stipulation. The Parties further agree that this agreement withdraws the requests for production and interrogatories served on DoD on March 17, 2026, and anticipated deposition notices. The Parties further agree that this agreement applies to any discovery, whether written, by deposition, or otherwise, that could otherwise be sought and served as to any Plaintiff, as to DoD, as to any other Defendant, or as to any non-party to this suit, to the extent that discovery seeks to establish a claim or defense as to DoD.

In exchange for obviating already-served discovery and discovery that could otherwise be sought and served, DoD agrees to produce the spreadsheet of grants described below and to the stipulations set forth below.

I. Spreadsheet of Grants

DoD agrees to produce a spreadsheet with the categories of information listed in this section. The spreadsheet will consist of all grants that the agency has identified as involving University of California researchers, including faculty, staff, academic appointees, and employees across the University of California system who are named as principal researchers, investigators, or project leaders on the grant applications for previously awarded research grants at DoD that were terminated or indefinitely suspended. The produced spreadsheet will be signed by a DoD official.

DoD agrees that Plaintiffs have the right, within 7 days of production of DoD's spreadsheet, to meet and confer and raise any identified technical errors, omissions, or formatting issues with the spreadsheet. DoD will make reasonable, good-faith efforts to resolve any

identified issues. If DoD and Plaintiffs are unable to resolve any remaining disputes regarding the spreadsheet, the Parties agree to submit their disagreement to the Court for resolution in accordance with the Court's procedures regarding discovery disputes.

Spreadsheet Columns

Grant details:

1. Granting Agency (including sub-agency if applicable, e.g., HHS-NIH)
2. Federal Award ID # (FAIN)
3. Project Name/Description/Title of Award/Project Summary
4. Recipient/Grantee Name (i.e., the direct grantee entity, e.g., "UC Irvine" or "Brown University")
5. UC location (for direct or, if applicable, sub-awards, e.g., "UCLA")
6. UC principal researcher, investigator, and/or project leader on the grant application(s)
7. Date obligated
8. Grant term (both start & end dates)
9. Date terminated or suspended
10. Date reinstated

Funding Details:

11. Amount awarded
12. Amount funded as of March 30, 2026 or to date (agency's best estimate)
13. Amount remaining when terminated or suspended
14. Statute(s) directing/authorizing the grant funds

Termination details:

15. EO(s) or executive directive(s) or agency priority implicated in the grant's termination
16. Term(s) or phrases identified in grant that resulted in termination
17. Other than the EO(s) or executive directive(s) identified above, any legal basis DoD contends allowed it to terminate the grant

II. Stipulations

Solely for the purposes of the present litigation and for no other purpose, with respect to the grants at issue in this litigation, DoD stipulates to the following facts:

1. DoD acted pursuant to Executive Orders or executive directives, meaning an agency memorandum, or other formal written articulation of agency priorities, when reviewing grants for termination.
2. DoD terminated the grants at issue in a uniform manner based on Executive Orders or executive directives.
3. When identifying grants for termination review, DoD used:
 - a. search terms, keywords, or phrases to identify grants for termination review.
 - i. The search terms and/or phrases used by DoD are described in the DoD-specific stipulation to be provided at the time DoD completes production of the Spreadsheet described above.¹
 - b. artificial intelligence tools or software.²
 - i. If AI tool(s) were used by DoD, the AI tool(s) and the prompts used will be provided at the time DoD completes production of the Spreadsheet described above.
4. DoD identified grants at issue for termination pursuant to the Executive Orders or executive directives, meaning an agency memorandum or formal, written description of agency priorities, which are to be provided at the time DoD completes production of the Spreadsheet described above.³
5. When identifying grants for termination, DoD selected those that expressed, or were presumed to express, viewpoints disfavored by the Administration, as set forth in Executive Orders or DoD's executive directives, because DoD no longer wished to subsidize those grants' viewpoints, or presumed viewpoints, such as the subject and/or topic of the grant.

¹ The provisions of search terms and/or phrases shall be made in the following format:

DoD used search terms, keywords, or phrases to identify and terminate grants presumed to express viewpoints—such as subjects and/or topics of the grant—that DoD no longer wished to subsidize. DoD used the following search terms, keywords, or phrases to identify grants for termination:

List.

² DoD will identify whether artificial intelligence tools or software were used at the time it completes production of the Spreadsheet described above and does not concede any such tools or software were used by signing these stipulations.

³ DoD agrees to identify where Plaintiffs can find the relevant EO or directive, including producing such document if it is not publicly available.

6. DoD accepts that the search terms, keywords, or other criteria used to determine which grants to terminate were designed to identify grants that expressed, or were presumed to express, viewpoints the Administration no longer wished to subsidize, as set forth in Executive Orders or DoD's executive directives. DoD accepts that the search terms, keywords, or other criteria were used to identify subjects and/or topics of the grant encompassing, or presuming to encompass, the relevant viewpoints.
7. DoD used standardized or form termination letters to notify grantees of the termination of the grants, rather than letters tailored to the specific circumstances of each grant.
8. DoD accepts that it did not consider the reliance interests of individual researchers prior to termination of grants.
9. DoD identified grants for termination using general criteria, rather than a grant-specific assessment of each award's compliance, or performance.
10. The grants at issue were funded through funds appropriated for the purpose of grant-making.
11. DoD has not re-allocated the terminated funds to other grant-making programs.
12. DoD's enabling statute or other legislation includes grant-making as a directive from Congress to DoD.
13. DoD did not terminate any grants based on alleged noncompliance with the terms of the grant.
14. DoD agrees that the number of terminated grants renders joinder of all class members impracticable, except as to Count III which does not apply to DoD.

DoD further agrees that the portions of stipulations 3 and 4 that so indicate shall be finalized and signed alongside production of the Spreadsheet described above.

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Digitally signed by
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Date: 2026.05.11 14:03:31 -04'00'

Jason O. Day
Research Policy Director
Office of the Under Secretary of Defense for Research & Engineering
Department of Defense

Dated: May 12, 2026

By: /s/ Elizabeth J. Cabraser

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Date: May 10, 2026

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Respectfully submitted,

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***Thakur, et al., v. Trump, et al.*, No. 25-cv-04737-RL (N.D. Cal.)**

Grants Spreadsheet and Responses to Stipulations 3 & 4

I. Grants Spreadsheet

DoD provides a spreadsheet with the information listed in Section I of DoD's May 11, 2026 Stipulation Agreement.

II. Answers to Stipulations 3a, 3b, and 4

Stipulation 3a: DoD used search terms, keywords, or phrases to identify and terminate grants presumed to express viewpoints—such as subjects and/or topics of the grant—that DoD no longer wished to subsidize. DoD used the following search terms, keywords, or phrases to identify grants for termination:

- Diversity
- Equity
- Inclusion
- Diversity, Equity, Inclusion
- DEI
- Affirmative Action
- Race-based
- Gender equity
- LGBTQ
- transgender
- critical race theory
- social justice
- gender studies
- intersectionality
- cultural competency
- inclusive hiring
- inclusivity
- racial disparity
- gender-affirming
- bias training
- BIPOC
- minority-serving
- underrepresented

- disadvantaged
- equitable access
- anti-racism
- racial justice
- restorative justice
- systemic bias
- implicit bias
- structural inequality
- equal opportunity
- disparate impact
- unconscious bias
- gender parity
- multiculturalism
- cultural sensitivity
- allyship
- neurodiversity
- socioeconomic
- linguistic diversity
- accessibility
- pay equity
- oppression
- equity-focused
- gender mainstreaming
- racial sensitivity
- culturally responsive
- Climate change
- green energy
- carbon neutrality
- net-zero emissions
- environmental, social, and governance (ESG)
- Paris Agreement
- Renewable energy
- sustainable development
- decarbonization
- climate resilience
- carbon sequestration
- methane reduction
- federal sustainability

- green procurement
- solar energy
- wind energy
- electrification
- climate adaptation
- Emission reduction
- Carbon capture
- Sustainable infrastructure
- Energy transition
- Low-carbon economy
- Circular economy
- Eco-friendly technologies
- Biodiversity conservation
- Deforestation prevention
- Environmental justice
- Climate mitigation
- Hydrogen energy
- Geothermal energy
- Wave energy
- Tidal energy
- Battery storage
- Carbon pricing
- Carbon offsets
- Environmental impact assessment (EIA)
- Green building standards
- Clean transportation
- Alternative fuels
- EV infrastructure
- Resilient cities
- Nature-based solutions
- Pollution control
- Air quality management
- Sustainable agriculture
- Regenerative farming
- humanities
- humanities research
- social science

Stipulation 3b: DoD used an internal search function/tool to identify grants using keyword searches, but does not understand this function/tool to be an AI tool or software because it does not rely on an algorithm or large language model to function.

Stipulation 4:

- Executive Order 14154: Unleashing American Energy, January 20, 2025
- Executive Order 14185: Restoring America's Fighting Force, January 27, 2025
- SECWAR Memorandum: Restoring America's Fighting Force, January 29, 2025
- Continuing Elimination of Wasteful Spending at the Department of Defense, March 20, 2025
- Pentagon Culls Social Science Research, Prioritizes Fiscal Responsibility and Technologies for Future Battlefield, March 7, 2025