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9 *Attorneys for Plaintiff G.H., a minor,*
by Rebecca Hooley
10 **pro hac vice application forthcoming*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

14 G.H., a minor, by REBECCA HOOLEY the
mother, legal guardian, and next friend of G.H.

15 Plaintiffs,

16 v.

17 UNIVERSITY OF CALIFORNIA BOARD OF
18 REGENTS; UCSF BENIOFF CHILDREN'S
HOSPITALS; MICHELLE EDNACOT, in her
19 individual and official capacity as the CHAMPS
program manager at UCSF BENIOFF
20 CHILDREN'S HOSPITAL OAKLAND;
DR. NICHOLAS HOLMES, in his individual and
21 official capacity as President of UCSF BENIOFF
CHILDREN'S HOSPITALS; and JANET
22 REILLY, in her official capacity as President of
the UNIVERSITY OF CALIFORNIA BOARD
23 OF REGENTS,

24 Defendants.

No. 4:25-cv-01399

**COMPLAINT FOR DECLARATORY
RELIEF AND DAMAGES**

INTRODUCTION

1
2 1. This case concerns a bright, ambitious young woman who dreams of a future in
3 medicine. G.H. is a 15-year-old student at Berkeley High School. She has perfect grades, is
4 involved in theater, and is a member of the orchestra. She speaks Mandarin and works with
5 children in a youth choir.

6 2. G.H.’s interest in healthcare is not a passing fad. She has long been inspired by her
7 aunt, who is an assisted living nurse and who also cares for her special-needs brother. And G.H. is
8 already preparing for a career in healthcare. She plans to take an EMT training class during her
9 senior year, enroll in a class on medical terminology at her local community college, and
10 eventually pursue a degree in medicine.

11 3. As part of G.H.’s plan to work in medicine, she applied to the Community Health
12 and Adolescent Mentoring Program for Success (CHAMPS). CHAMPS is a renowned high-
13 school internship program offered by UCSF Benioff Children’s Hospital Oakland (UCSF
14 Benioff). CHAMPS interns work closely with skilled healthcare practitioners in one of the best
15 pediatric hospitals in the nation. This unique, once-in-a-lifetime opportunity could have set G.H.
16 on the path to achieving her lifelong dream.

17 4. However, neither G.H.’s impressive background nor ardent interest in medicine
18 mattered to UCSF Benioff. It rejected G.H. from CHAMPS because of her race and ethnicity.

19 5. UCSF Benioff offers the CHAMPS experience only to students of certain races.
20 CHAMPS is restricted to minority students interested in healthcare careers. As a non-minority,
21 G.H. is not one of the students that UCSF Benioff allows into CHAMPS.

22 6. G.H. did everything right. She worked tirelessly in school, dedicated countless
23 hours to extracurricular activities, and poured her heart into her application. But instead of
24 evaluating G.H. on her merit, UCSF Benioff judged G.H. by the color of her skin. When G.H.
25 revealed she was white, UCSF Benioff slammed the door to this opportunity shut in her face.

26 7. G.H. has the right to the equal protection of the laws and to not be discriminated
27 against on the basis of her race, as guaranteed by the Equal Protection Clause of the Fourteenth
28

1 Amendment to the U.S. Constitution; Title VI of the Civil Rights Act; and Section I, Article 31,
2 of the California Constitution.

3 8. G.H. brings this lawsuit to assert her right to equal treatment and, above all, to be
4 evaluated on her own merits—as an individual with unique talents and aspirations, not merely as
5 a faceless member of her race.

6 **JURISDICTION AND VENUE**

7 9. This action arises under the Fourteenth Amendment to the United States
8 Constitution; federal civil rights statutes 42 U.S.C. §§ 1981, 1983, and 2000d *et seq.*; and Article
9 I, Section 31 of the California Constitution.

10 10. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C.
11 § 1331 and 28 U.S.C. § 1343, because this action arises under the Constitution and laws of the
12 United States.

13 11. The Court has supplemental jurisdiction to adjudicate Plaintiff’s claims under
14 Article I, Section 31 of the California Constitution pursuant to 28 U.S.C. § 1367(a). The events,
15 parties, witnesses, and injuries that form the basis of the U.S. constitutional and federal civil
16 rights claims are the same or related to the events, parties, witnesses, and injuries that form the
17 basis of the state constitutional claims and derive from a common nucleus of operative facts.

18 12. This Court has authority to issue attorneys’ fees and other necessary and proper
19 relief under 28 U.S.C. §§ 2201 and 2202.

20 13. Venue is proper in this district under 28 U.S.C. §§ 1391(b)(1)–(2). The Defendant
21 resides within this district and a substantial part of the events giving rise to this claim have
22 occurred or will occur in the Northern District of California.

23 **DIVISIONAL ASSIGNMENT**

24 14. Divisional Assignment as to Defendants is proper in this federal district court,
25 pursuant to Civil Local Rule 3-2(c), which provides that a case shall be assigned “. . . to the court
26 division serving the county in which the action arises. A civil action arises in the county where a
27 substantial part of the events or omissions giving rise to the claim occurred, or where a substantial
28 part of the property that is the subject of the action is situated.”

1 15. In this action, Defendants' CHAMPS internship that Plaintiff G.H. applied to takes
2 place at UCSF Benioff Children's Hospital Oakland, which is located in the County of Alameda.
3 Defendants' consideration, determination, and rejection of Plaintiff's application to the CHAMPS
4 internship took place at UCSF Benioff Children's Hospital Oakland. Plaintiff G.H. resides in
5 Berkeley, which is also located in the County of Alameda. Alameda is one of the counties
6 contained in this District, and it is the physical location where a substantial part of the events or
7 omissions giving rise to the causes of action contained herein occurred.

8 **PARTIES**

9 16. Plaintiff G.H. is a 15-year-old student at Berkeley High School. She resides in
10 Berkeley, California, with her mother. G.H. is white. She applied to CHAMPS on October 27,
11 2024, and was not accepted.

12 17. Rebecca Hooley is G.H.'s mother, legal guardian, and next friend. She resides with
13 G.H. in Berkeley, California.

14 18. Defendant UCSF Benioff Children's Hospital is a hospital system that includes
15 UCSF Benioff Children's Hospital San Francisco and UCSF Benioff Children's Hospital
16 Oakland. It is affiliated with UCSF Health.

17 19. Defendant University of California Board of Regents (UC Regents) is the sole
18 corporate parent of UCSF Benioff Children's Hospital Oakland. The UC Regents are a state entity
19 that governs the University of California, which the California Constitution establishes as a public
20 trust.

21 20. Defendant Michelle Ednacot is the CHAMPS program manager at UCSF Benioff
22 Children's Hospital Oakland. She is responsible for managing and overseeing CHAMPS,
23 including its goals, application process, and selection criteria. Ms. Ednacot is sued in her
24 individual and official capacities.

25 21. Defendant Dr. Nicholas Holmes is president of UCSF Benioff Children's Hospitals
26 and senior vice president of children's services for UCSF Health. He is responsible for Benioff
27 Children's Hospital San Francisco and Benioff Children's Hospital Oakland. He oversees
28 strategic direction and operations for all pediatric clinical services across the health system,

1 including UCSF-owned and -operated sites and affiliated programs, including the CHAMPS
2 program. Dr. Holmes is sued in his individual and official capacities.

3 22. Defendant Janet Reilly is the president of the UC Regents. As president of the UC
4 Regents, Ms. Reilly has full authority and responsibility over the administration of all affairs and
5 operations of the University of California. Ms. Reilly is sued in her official capacity.

6 **FACTUAL ALLEGATIONS**

7 **I. UCSF Benioff Children’s Hospital Oakland**

8 23. UCSF Benioff Children’s Hospital Oakland (UCSF Benioff) is a pediatric acute
9 care hospital located in Oakland, California. Since 2014, it has been affiliated with UCSF Health,
10 which is part of UC San Francisco, one of the top universities in the nation for health sciences
11 research and higher education.

12 24. UC San Francisco physician-faculty provide over 90 percent of the care to UCSF
13 Benioff patients. UC San Francisco is a public land-grant research university in the University of
14 California system that the UC Regents govern. The UC Regents, through UCSF Health, are the
15 sole corporate members of UCSF Benioff.

16 25. UCSF Benioff is a Federally Qualified Health Center. Approximately 70 percent
17 of pediatric patients receiving care at UCSF Benioff are covered by Medi-Cal.

18 **II. The CHAMPS Internship**

19 26. CHAMPS is UCSF Benioff’s three-year internship program for minority high
20 school students or students of color who are interested in health professions. The program was
21 formerly known as “FACES for the Future.”

22 27. During the CHAMPS internship, students shadow care providers during six- to
23 eight-week clinical rotations, receive classroom education and training relevant to health care,
24 and present projects that incorporate their extensive experience at the participating hospital and
25 clinics.

26 28. Students accepted into CHAMPS receive assistance with their college
27 applications, including SAT preparation, personal statement writing, and financial aid workshops.
28 Students also earn a letter grade and school credit for their work.

1 29. CHAMPS aims to introduce high school students to health professions, assist them
2 in getting into educational programs of their choice, and equip them with the skills to succeed in
3 their pursuits.

4 30. CHAMPS's opportunities are intentionally and exclusively reserved for
5 underrepresented minority students. It is expressly and strictly race-based.

6 31. CHAMPS's goal is to have the future medical community racially reflect the
7 patient population. It aims for a healthcare workforce that "looks like those it serves."

8 32. In support of these racially restrictive goals, CHAMPS program manager Michelle
9 Ednacot stated, "If that person looks and speaks like you and understands your culture, that builds
10 trust. That's part of culturally-competent care."¹

11 33. To apply for CHAMPS, students must submit an application and a school
12 transcript prior to the second semester of their sophomore year. Each student must answer
13 questions on the application about their citizenship status, career goals, life challenges, personal
14 traits, and interest in health care.

15 34. The application also mandates that students include a photo of themselves and
16 identify their race/ethnicity.

17 35. Students must commit 7 hours each week to the program during the academic
18 school year for their sophomore, junior, and senior years. They must also pass a health clearance,
19 which includes having various vaccinations and tuberculosis screenings prior to coming on site
20 for the program.

21 36. Students and their parents or guardian then sign a Statement of Commitment with
22 their applications, affirming that they understand the commitments and expectations of the
23 internship program and can carry them out.

24 37. A select number of students are asked to sit for an interview.

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27 ¹ UCSF News, *Meet UCSF Benioff Oakland Hospital's Next-Gen Health Care Champs*, UCSF
28 News (June 5, 2023), <https://www.ucsf.edu/news/2023/06/425686/meet-ucsf-benioff-oakland-hospitals-next-gen-health-care-champs>

1 **III. UCSF Benioff Rejects G.H. from CHAMPS Because of Her Race**

2 38. G.H. submitted a complete application to UCSF Benioff on October 27, 2024, for
3 admission to the CHAMPS internship. She included her high school transcript that showed her
4 4.0 GPA, a photograph, and the signed Statement of Commitment.

5 39. In her application, G.H. described how her strong ability to connect with people
6 has led her to help and comfort those in need. She wrote about moments when she assisted a child
7 with a disability through his performance at her theater camp, cared for her grandmother in times
8 of distress, and aided a stranger in an emergency.

9 40. G.H. explained how she is inspired to help others through healthcare by her aunt, a
10 registered nurse. G.H. further described her own personal challenges as a child and how they
11 shaped her resilience against future obstacles.

12 41. Under the section for “Race/Ethnicity,” G.H. could check boxes for “Asian,”
13 “Black/African-American,” “Chicanx/Hispanic/Latinx,” “Native American/Alaskan,” “Native
14 Hawaiian/Pacific Islander,” and “Not listed.” G.H. checked “Not listed.”

15 42. On December 12, 2024, G.H. was interviewed for the program. The interviewer
16 immediately started the interview noting that G.H. did not list her race or ethnicity in her
17 application. She pressed G.H. to identify her race, and G.H. answered that she is white.

18 43. On December 17, 2024, during the week of her final exams, G.H. was informed
19 that she was not selected for the CHAMPS internship.

20 44. UCSF Benioff rejected G.H. because she was not the right race for the CHAMPS
21 internship. G.H.’s impressive background, high GPA, and passion for helping others through
22 healthcare made her a strong candidate for the internship, but UCSF Benioff’s race-conscious
23 admissions meant it could not even consider G.H.’s qualifications.

24 45. G.H. would have been accepted and admitted to CHAMPS but for UCSF Benioff’s
25 race-based admissions policy.

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1 **IV. The Impact of UCSF Benioff’s Racial Discrimination**

2 46. The crushing disappointment and heartbreak G.H. experienced cannot be
3 overstated. UCSF Benioff disregarded G.H.’s qualifications, achievements, and aspirations in
4 favor of an unconstitutional race-based exclusion.

5 47. G.H. has lost a once-in-a-lifetime opportunity to gain invaluable medical
6 experience, network with professionals, and enhance her academic profile, all of which would
7 have significantly boosted her future career prospects.

8 48. The rejection has left G.H. feeling humiliated and demoralized.

9 49. G.H. and her family have invested significant resources, including time and
10 money, into preparing for this opportunity—expenses that have now gone to waste.

11 50. The intentional and systematic discrimination carried out by Defendants has
12 caused G.H. substantial emotional and psychological harm, leaving her with a profound sense of
13 injustice and disillusionment with institutions that should foster inclusion and merit-based
14 opportunities.

15 **CLAIMS FOR RELIEF**

16 **First Cause of Action**

17 **(42 U.S.C. § 1983 – Violation of the Equal Protection Clause)**

18 51. Plaintiff incorporates and realleges each and every allegation contained in the
19 preceding paragraphs of this Complaint.

20 52. The Fourteenth Amendment to the United States Constitution provides: “No State
21 shall make or enforce any law which shall . . . deny to any person within its jurisdiction the equal
22 protection of the laws.” U.S. Const. amend. XIV, § 1.

23 53. 42 U.S.C. § 1983 provides that: “Every person who, under color of any statute,
24 ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia,
25 subjects, or causes to be subjected, any citizen of the United States or other person within the
26 jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the
27 Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or
28 other proper proceeding for redress”

1 54. Defendants Michelle Ednacot, CHAMPS program manager at UCSF Benioff;
2 Nicholas Holmes, President of UCSF Benioff Children’s Hospitals; and Janet Reilly, President of
3 the UC Regents are each a “person” within the meaning of 42 U.S.C. § 1983.

4 55. Michelle Ednacot oversaw the application of CHAMPS’s discriminatory selection
5 criteria on students, including G.H., even though she knew or should have reasonably known that
6 the criteria violated G.H.’s right to equal protection of the law. Nicholas Holmes, as President of
7 UCSF Benioff, knew or reasonably should have known of CHAMPS’s unlawful discriminatory
8 racial preferences and knowingly refused to discontinue the preferences.

9 56. Defendants have acted and are acting “under color of state law” within the
10 meaning of Section 1983.

11 57. CHAMPS discriminates on the basis of race in violation of the Equal Protection
12 Clause.

13 58. CHAMPS is subject to strict scrutiny because it categorizes individuals on the
14 basis of race.

15 59. CHAMPS’s racial classifications do not serve a compelling government interest.

16 60. Defendants have not specifically identified any racial discrimination to be
17 remedied by the CHAMPS internship.

18 61. Defendants cannot identify any statute or constitutional provision that would be
19 violated in the absence of its race-based CHAMPS internship.

20 62. Defendants lack a strong basis in evidence to conclude that remedial action is
21 necessary regarding any racial discrimination in the State of California.

22 63. Even if Defendants could demonstrate that CHAMPS’s racial classifications serve
23 a compelling government interest, Defendants cannot prove that the racial exclusivity mandated
24 by CHAMPS is narrowly tailored towards advancing that interest.

25 64. Defendants have not attempted to implement any race-neutral alternatives and
26 CHAMPS does not provide any end date for its race-based measures.

27 65. The CHAMPS internship’s racial classifications use race as a negative.

28 66. The CHAMPS internship’s racial classifications use race as a stereotype.

1 67. CHAMPS applicants and G.H. have been and will continue to be harmed by
2 Defendants' racial discrimination.

3 **SECOND CAUSE OF ACTION**

4 **(42 U.S.C. § 1981 – Deprivation of Civil Rights Based on Race)**

5 68. Plaintiff incorporates and realleges each and every allegation contained in the
6 preceding paragraphs of this Complaint.

7 69. Section 1981 prohibits discrimination on the basis of race and protects the right of
8 all persons in every State to make and enforce contracts and to the full and equal benefit of all
9 laws and proceedings for the security of persons and property.

10 70. Defendants violated Section 1981 by purposefully and willfully denying G.H. the
11 equal opportunity to be considered for admission to the CHAMPS internship and to make and
12 enforce a contract with UCSF Benioff because of G.H.'s race.

13 71. UCSF Benioff's racial discrimination interfered with G.H.'s right to contract for
14 educational benefits on an equal basis.

15 72. Defendants' actions were in accordance with an official policy and custom of
16 UCSF Benioff, specifically and not limited to UCSF Benioff's racial preference for minority
17 students in its CHAMPS internship.

18 73. Defendants' actions caused the deprivation of G.H.'s rights.

19 74. The United States Supreme Court has held that § 1981 protects all persons—
20 regardless of their race—from “discrimination in the making or enforcement of contracts. . . .”
21 *McDonald v. Santa Fe Trail Transp. Co.*, 427 U.S. 273, 295, 96 S. Ct. 2574, 49 L. Ed. 2d. 493
22 (1976).

23 75. G.H. is a member of the racial category that Defendants disfavor for admission to
24 the CHAMPS internship.

25 76. Defendants were aware of G.H.'s race at the time Defendants considered G.H.'s
26 application for admission to the CHAMPS internship and carried out the race-based preferences
27 in determining which students to accept to the program.
28

1 77. Defendants’ deprivation of Plaintiff’s rights occurred due to Plaintiff’s race.
2 Defendants intended to discriminate and purposefully discriminated against G.H. on the basis of
3 race.

4 78. Persons who suffer discrimination in violation of Section 1981 are entitled to both
5 equitable and legal relief, including damages.

6 79. G.H. has suffered damages as a result of Defendants’ discriminatory actions.

7 **THIRD CAUSE OF ACTION**

8 **(42 U.S.C. § 2000d – Intentional Discrimination in Violation of Title VI**
9 **of the 1964 Civil Rights Act)**

10 80. Plaintiff incorporates and realleges each and every allegation contained in the
11 preceding paragraphs of this Complaint.

12 81. Title VI of the 1964 Civil Rights Act (42 U.S.C. §2000d) provides, in relevant
13 part: “No person in the United States shall, on the ground of race, color, or national origin, be
14 excluded from participation in, be denied the benefits of, or be subjected to discrimination under
15 any program or activity receiving Federal financial assistance.”

16 82. UCSF Benioff and UC Regents, recipients of federal funds, violate Title VI, 42
17 U.S.C. § 2000(d) *et seq.*, by promulgating and implementing a policy which racially discriminates
18 against students who seek admission to the CHAMPS internship.

19 83. Defendants’ actions were made under color of law.

20 84. Title VI is privately enforceable.

21 85. Discrimination that violates the Equal Protection Clause of the Fourteenth
22 Amendment of the United States Constitution constitutes a violation of Title VI when committed
23 by an institution that accepts federal funds.

24 86. An institution’s use of race or ethnicity that is in any way motivated by prejudice
25 or a stereotype against a particular group violates Title VI.

26 87. Defendants have intentionally discriminated against G.H. for admission to
27 CHAMPS on the basis of race or ethnicity based on prejudicial and stereotypical assumptions
28 about her qualifications and circumstances.

1 88. G.H. has been and will continue to be injured because Defendants have denied and
2 will continue to deny her the opportunity to compete for admission to CHAMPS on equal footing
3 with other applicants.

4 89. Plaintiff is entitled to attorneys' fees and costs pursuant to 42 U.S.C. § 1988.

5 **FOURTH CLAIM FOR RELIEF**

6 **(Article I, Section 31 of the California Constitution – Discriminatory and Preferential**
7 **Treatment on the Basis of Race)**

8 90. Plaintiff incorporates and realleges each and every allegation contained in the
9 preceding paragraphs of this Complaint.

10 91. Article I, Section 31 of the California Constitution provides that the State of
11 California and its counties and other subdivisions “shall not discriminate against, or grant
12 preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or
13 national origin in the operation of public employment, public education, or public contracting.”
14 Cal. Const. art. I, § 31(a), (f).

15 92. The CHAMPS internship discriminates against and grants preferential treatment to
16 individuals on the basis of race.

17 93. The CHAMPS internship is not required by “any court order or consent decree” in
18 force as of November 6, 1996. Cal. Const. art. I, § 31(d).

19 94. The CHAMPS internship is not necessary to “establish or maintain eligibility for
20 any federal program, where ineligibility would result in a loss of federal funds to the State.” Cal.
21 Const. art. I, § 31(e).

22 **PRAYER FOR RELIEF**

23 WHEREFORE, Plaintiff respectfully requests the following relief:

- 24 1. A declaratory judgment declaring that the racial preferences in Defendants' CHAMPS
25 program violate the Fourteenth Amendment to the United States Constitution; Title VI
26 of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq*; federal civil rights statutes
27 42 U.S.C. §§ 1981 and 1983; and Article I, Section 31 of the California Constitution;
28 2. Compensatory damages;

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3. An award of attorney’s fees and costs in this action pursuant to 42 U.S.C. § 1988;
4. An award of nominal damages in the amount of \$1.00; and
5. An award of any further legal or equitable relief this Court may deem just and proper.

DATED: February 11, 2025.

Respectfully submitted,

ANDREW R. QUINIO
HALEY DUTCH*

By /s/ Andrew R. Quinio
ANDREW R. QUINIO

Attorneys for Plaintiff
**pro hac vice application forthcoming*