



## Dylan M. Silva

Senior Associate

[dsilva@fbm.com](mailto:dsilva@fbm.com)

San Francisco: 415.954.4933

Dylan Silva is a member of Farella's business litigation group. He has experience representing clients on a wide range of matters including antitrust, trade secret, trademark, breach of contract, class action, and appellate litigation, and white collar investigations.

Dylan has experience in all phases of litigation in federal and state courts. He has second-chaired several trials and represented a major technology company in multidistrict litigation over product liability claims. Dylan maintains an active pro bono practice with a focus on civil rights and impact litigation.

Dylan clerked for the Honorable Dorothy W. Nelson of the U.S. Court of Appeals for the Ninth Circuit. During law school, he was an intern with the United States Attorney's Office for the Southern District of New York. Before law school, he was an honors paralegal specialist for three years with the U.S. Department of Justice, Criminal Division, Office of International Affairs.

### Distinctions

- California Lawyer Attorneys of the Year (CLAY) Award (2026)

### Memberships and Affiliations

- Member, Executive Committee, Antitrust and Business Regulation Section, Bar Association of San Francisco (2026)

## Experience

### Thakur v. Trump Litigation: Legal Challenge to Termination of Federal Grants to UC System

This class action lawsuit was filed in federal court in San Francisco in June 2025 on behalf of University of California researchers whose grants were abruptly terminated without any individualized consideration or process, pursuant to President Trump's Executive Orders. The lawsuit asserts that the government's grant terminations violate the Administrative Procedure Act and the class members' constitutional rights, including their First Amendment right to free speech and Fifth Amendment right to due process.

On June 23, U.S. District Court (Northern District of California) Judge Rita F. Lin issued a class-wide preliminary injunction, ordering the government to cease grant terminations under President Trump's and the agencies' unlawful directives, and to reinstate previously-terminated research grants from the EPA, NSF, and NEH across the UC system.

On August 21, the U.S. Ninth Circuit Court of Appeals denied the federal government's motion to stay Judge Lin's preliminary injunction order. By its ruling, the appellate panel kept in force the district court's preliminary injunction, ensuring that grant funding will continue to flow while the government's appeal of the injunction

### Services

- Business Litigation
- Antitrust
- Appellate Litigation

### Education

- University of California, Berkeley, School of Law (J.D., 2015)
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  - . Senior Executive Editor, Berkeley Journal of International Law
- University of Chicago (M.A., 2009)
  - . With Honors
- University of Chicago (B.A., 2009)
  - . Phi Beta Kappa

### Bar Admissions

- California

### Clerkships

- 9th U.S. Circuit Court of Appeals, Dorothy W. Nelson

continues.

On September 22, the District Court issued a second injunction, ordering the government to cease grant terminations by DOD, DOT, and NIH, and to reinstate grants previously terminated by those agencies.

On November 24, plaintiffs filed (1) motion for leave to file third amended complaint, adding class plaintiffs with affected DOE grants, and (2) motion for preliminary injunction seeking reinstatement of these grants, similar to the prior injunctions granted against EPA, NSF, NEH, DOD, DOT, and NIH.

On December 23, the Ninth Circuit issued an Amended Order, reversing a limited part of what it decided in August 2025 in upholding the District Court's determination that the Trump administration violated the law in terminating grants to UC researchers. The Ninth Circuit again found that the Trump administration violated the First Amendment in cutting off grants based on the perceived viewpoints of the research. The District Court's order reinstating these grants to members of the Equity Termination Class remains in effect.

The Ninth Circuit, however, determined that another set of claims under the federal Administrative Procedure Act likely must go to the Court of Federal Claims rather than the federal district court. The Ninth Circuit thus stayed the District Court's order reinstating grants to the Form Termination Class. At this point, this applies only to grants from the Environmental Protection Agency and the National Endowment of the Humanities that are not also covered by the Equity Termination Class.

On December 29, plaintiffs sought reconsideration of the Ninth Circuit panel's conclusion that the District Court lacked jurisdiction to hear the claims under the Administrative Procedure Act.

On January 30, the District Court granted Plaintiffs' Motion for Leave to File Third Amended Complaint and denied Plaintiff's Motion for Preliminary Injunction and Provisional Class Certification as to the Department of Energy. For Plaintiff's Preliminary Injunction Motion, the District Court stated that there is not enough information in the record to support a finding that the terminations likely violated the Equal Protection Clause. The District Court concurrently issued an order setting a case schedule to proceed directly to cross-motions for summary judgment on the equal production claim after production of the administrative record and discovery.

On February 3, plaintiffs filed their Third Amended Complaint.

On February 23, the Ninth Circuit denied Plaintiffs' motion for reconsideration or reconsideration en banc.

Copies of the complaint, key court orders, and legal briefs in the litigation may be accessed here.

## Outside the Office

In his free time, Dylan enjoys playing blues, jazz, and classical guitar; hiking; and mountain and road cycling.