

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Roberts-Gregory v. American Association for the Advancement of Science

Civil Action No. 25-1436 (RC) (D.D.C. June 16, 2026) · No. Civil Action No. 25-1436 (RC) · Decided June 16, 2026

SUMMARY

The United States District Court for the District of Columbia addresses Federal Defendants’ motion to dismiss claims brought by Frances Roberts-Gregory concerning an American Association for the Advancement of Science fellowship stipend and the revocation of her fellowship offer. The court concludes that it has jurisdiction over the Equal Pay Act retaliation claim, that the complaint fails to state a disparate-treatment claim under Title VII, and that it adequately states disparate-impact and Title VII retaliation claims. The motion to dismiss is therefore granted in part and denied in part.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Rudolph Contreras
JURISDICTION	United States District Court for the District of Columbia
DECIDED	June 16, 2026
DOCKET	Civil Action No. 25-1436 (RC)
DISPOSITION	other
PROCEDURAL POSTURE	Federal Defendants Marco Rubio and the United States moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the claims asserted against them. The Association did not join the motion.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts factual allegations as true, draws reasonable inferences in the plaintiff’s favor, and asks whether the complaint alleges enough facts to state a claim that is plausible on its face. Conclusory recitals of legal elements are insufficient.
PRECEDENTIAL VALUE	Published district court memorandum opinion; persuasive authority within the District of Columbia but not binding precedent on the D.C. Circuit.

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QUESTIONS PRESENTED

1. Whether the district court had subject-matter jurisdiction over Roberts-Gregory's Equal Pay Act retaliation claim against the United States.
2. Whether the complaint plausibly alleged disparate-treatment race or sex discrimination under Title VII.
3. Whether the complaint plausibly alleged a Title VII disparate-impact claim based on the stipend policy's prior-salary and engineering exceptions.
4. Whether the complaint plausibly alleged Title VII retaliation against the Federal Defendants based on revocation of the fellowship offer.

HOLDINGS

1. The court had jurisdiction over Roberts-Gregory's Equal Pay Act retaliation claim because the retaliation claim sounded in tort and therefore did not fall within the Tucker Act's grant of jurisdiction over non-tort claims against the United States.
2. The complaint failed to state a plausible claim that the Federal Defendants intentionally discriminated against Roberts-Gregory because of her race or sex.
3. The complaint plausibly stated a Title VII disparate-impact claim based on the stipend policy's prior-salary exception and engineering exception.
4. The complaint plausibly stated a Title VII retaliation claim against the Federal Defendants.

KEY QUOTATIONS

“The Court concludes that Dr. Roberts-Gregory fails to state a claim of disparate-treatment discrimination but otherwise denies the Federal Defendants’ motion to dismiss.” (8)

“If there are pay disparities in the STEM market, then it is plausible that using an applicants’ prior salary in the STEM market to inform their stipend will result in stipend offers reflecting those preexisting pay disparities.” (21)

“Drawing all inferences in favor of Dr. Roberts-Gregory, these allegations permit a plausible inference that the Federal Defendants and the Association jointly decided to revoke Dr. Roberts-Gregory’s offer, even if only the Association could remove her from the Fellowship process entirely.” (22)

FACTUAL BACKGROUND

Roberts-Gregory, a Black woman with a Ph.D. in environmental science, applied for and accepted a Science & Technology Policy Fellowship administered by AAAS with a placement at the Department of State. AAAS assigned her a Level I stipend despite her allegation that her prior compensation qualified her for the highest

stipend level, and she challenged the stipend policy as discriminatory because it relied on prior salary and treated engineering experience more favorably. After she complained that the policy disadvantaged women and people of color, AAAS imposed conditions on her acceptance and later revoked her fellowship offer; the complaint alleged that State Department personnel participated in or influenced the revocation.

PROCEDURAL HISTORY

Roberts-Gregory filed a first amended complaint against the American Association for the Advancement of Science, Marco Rubio, and the United States, alleging Equal Pay Act retaliation, Title VII race and sex discrimination, and Title VII retaliation. The Federal Defendants moved to dismiss all claims against them. The court granted dismissal of the disparate-treatment theory in Count IX, but denied dismissal of the Equal Pay Act retaliation claim, the Title VII disparate-impact claim, and the Title VII retaliation claim.

DISPOSITION

other

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 554, 557, 566, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Sanchez v. Office of State Superintendent of Education, 45 F.4th 388, 395-96 (D.C. Cir. 2022)
- Summers v. Earth Island Institute, 555 U.S. 488, 499 (2009)
- Waters v. Rumsfeld, 320 F.3d 265, 270, 272 (D.C. Cir. 2003)
- United States v. Bormes, 568 U.S. 6, 10 (2012)
- Greenhill v. Spellings, 482 F.3d 569, 572 (D.C. Cir. 2007)
- Van Drasek v. Lehman, 762 F.2d 1065, 1071 n.10 (D.C. Cir. 1985)
- Jentoft v. United States, 450 F.3d 1342, 1349-50 (Fed. Cir. 2006)
- Megapulse, Inc. v. Lewis, 672 F.2d 959, 963 n.13 (D.C. Cir. 1982)
- Davis v. District of Columbia, 925 F.3d 1240, 1248-49 (D.C. Cir. 2019)
- Baloch v. Kempthorne, 550 F.3d 1191, 1196 (D.C. Cir. 2008)
- Equal Employment Opportunity Commission v. Catastrophe Management Solutions, 852 F.3d 1018, 1026 (11th Cir. 2017)
- 2922 Sherman Avenue Tenants' Association v. District of Columbia, 444 F.3d 673, 682 (D.C. Cir. 2006)
- Joyner v. Morrison & Foerster LLP, 140 F.4th 523, 530 n.2, 532-33 (D.C. Cir. 2025)
- Ho v. Garland, 106 F.4th 47, 51 (D.C. Cir. 2024)
- Rizo v. Yovino, 950 F.3d 1217, 1219, 1234-35 (9th Cir. 2020) (en banc)
- Ponce v. Billington, 679 F.3d 840, 844-45 (D.C. Cir. 2012)
- U.S. Telecom Ass'n v. Federal Communications Commission, 825 F.3d 674, 708 (D.C. Cir. 2016)
- Jianqing Wu v. Special Counsel, 2015 WL 10761295, at *2 (D.C. Cir. Dec. 22, 2015) (per curiam)

- Greater New Orleans Fair Housing Action Center v. U.S. Department of Housing & Urban Development, 639 F.3d 1078, 1085-86 (D.C. Cir. 2011)
- Townsend v. United States, 236 F. Supp. 3d 280, 308-09 (D.D.C. 2017)
- Brown v. Mayorkas, 2023 WL 3303862, at *11-12 (D.D.C. May 8, 2023)
- Smith v. City of Jackson, 544 U.S. 228, 241 (2005)
- Wards Cove Packing Co. v. Atonio, 490 U.S. 642, 656 (1989)
- Breuer v. Jim's Concrete of Brevard, Inc., 538 U.S. 691, 694 (2003)
- Thompson v. Sawyer, 678 F.2d 257, 280 n.23 (D.C. Cir. 1982)
- Bowen v. Massachusetts, 487 U.S. 879, 910 n.48 (1988)

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