

IN THE
Supreme Court of the United States

JAMEKA K. EVANS,
Petitioner,

v.

GEORGIA REGIONAL HOSPITAL, ET AL.,
Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

**MOTION FOR LEAVE TO FILE BRIEF OF AMICI CURIAE GLBTQ LEGAL
ADVOCATES & DEFENDERS, NATIONAL CENTER FOR LESBIAN
RIGHTS, ANTI-DEFAMATION LEAGUE, FAMILY EQUALITY COUNCIL,
FREEDOM FOR ALL AMERICANS, HUMAN RIGHTS CAMPAIGN, LEGAL
AID SOCIETY, MAZZONI CENTER, OUTSERVE-SLDN, SERVICES AND
ADVOCACY FOR GLBT ELDERS, AND THE TREVOR PROJECT**

This case presents an issue of great importance: whether a claim of employment discrimination based on sexual orientation is discrimination “because of ... sex” prohibited by Title VII of the Civil Rights Act of 1964. Amici—GLBTQ Legal Advocates & Defenders, National Center for Lesbian Rights, Anti-Defamation League, Family Equality Council, Freedom for All Americans, Human Rights Campaign, Legal Aid Society, Mazzoni Center, Outserve-SDLN, Services and Advocacy for GLBT Elders, and The Trevor Project—are organizations dedicated to and actively involved in securing just

and equal treatment of all individuals in the workplace and elsewhere, regardless of their sexual orientation, frequently through litigation. They are, therefore, well-situated to provide the Court with additional insight into the problems created by the prevailing judicial approach to Title VII claims involving allegations of discrimination based on sexual orientation.

Amici timely notified counsel for both petitioner and respondents that they intended to submit an amicus brief in support of the certiorari petition. On October 5, 2017, counsel for petitioner filed a letter with the Court providing blanket consent to amicus briefs. By letter of October 4, 2017, however, counsel for respondents informed the Court that they “do not intend to participate in the matter now that it is pending before the Court,” that they “are not ‘parties’ in this case whose consent is required to file an *amicus* brief,” and that they “accordingly take no position regarding the filing of *amicus* briefs in this case.” Letter from Sarah Hawkins Warren, Solicitor General, to Scott S. Harris, Clerk, at 1 (Oct. 4, 2017).

Based on the representation by counsel for respondents that they would not appear and were not parties to the proceedings before this Court, amici concluded that they had received “the written consent of all parties,” S. Ct. R. 37(2)(a), and filed their brief on October 10, 2017. The Clerk of the Court, however, subsequently informed counsel for amici that leave to file would be required. Accordingly, amici hereby respectfully request that the Court grant

them leave to file their brief in support of petitioner as lodged with the Clerk on October 10, 2017.



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October 11, 2017.

CERTIFICATE OF SERVICE

I, Alan E. Schoenfeld, a member of the bar of this Court, hereby certify that, on this 11th day of October, 2017, all parties required to be served have been served copies of the foregoing by first class mail to the addresses below.

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