



September 13, 2018

Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543-0001

Re: *R.G. & G.R. Harris Funeral Homes, Inc. v. Equal Employment
Opportunity Commission*, No. 18-107

Dear Mr. Harris:

Petitioner in the above-referenced case—*R.G. & G.R. Harris Funeral Homes, Inc. v. Equal Employment Opportunity Commission*, No. 18-107—writes to notify the Court of two cases that raise questions similar to (albeit somewhat different from) those presented in this case. Those cases are *Altitude Express, Inc. v. Zarda*, No. 17–1623, and *Bostock v. Clayton County*, No. 17–1618. They both raise the question whether the prohibition in Title VII of the Civil Rights Act of 1964, 42 U.S. § 2000e-2(a)(1), against discrimination “because of sex” encompasses discrimination based on sexual orientation. This case similarly asks whether the word “sex” in Title VII meant “gender identity” and included “transgender status” when Congress enacted that statute in 1964.

The *Altitude Express* and *Bostock* petitions were originally distributed and scheduled for the long conference on September 24, 2018. The docket now indicates that both have been rescheduled, although a new conference date has not yet been set. The briefs in opposition to the *R.G. & G.R. Harris Funeral Homes* petition are due September 24, 2018, which means that case will likely be distributed for the October 26, 2018 conference. Because of the similarities between the issues raised in *R.G. & G.R. Harris Funeral Homes*, *Altitude Express*, and *Bostock*, the Court may wish to schedule all three of the cases for the same conference.

Sincerely,

James A. Campbell
Counsel for Petitioner *R.G. & G.R. Harris
Funeral Homes, Inc.*

cc: Noel J. Francisco, Solicitor General
Counsel for Respondent Equal Employment Opportunity Commission

John A. Knight
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