

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 18-1104

Mark Horton

Plaintiff - Appellant

v.

Midwest Geriatric Management, LLC

Defendant - Appellee

Equal Employment Opportunity Commission; State of Iowa; State of Minnesota; State of California; State of Connecticut; State of Hawaii; State of Maryland; State of Massachusetts; State of New Jersey; State of New Mexico; State of New York; State of Oregon; State of Vermont; State of Virginia; State of Washington; District of Columbia; Kargo; State of Illinois; 9 to 5 National Association of Working Women; A Better Balance; AdRoll, Inc.; Airbnb; American Association of University Women; American Civil Liberties Union; American Civil Liberties Union of Missouri; Anti-Defamation League; BASF Corporation; Bend the Arc; CBS Corporation; Caldwell Partners; California Women's Law Center; Central Conference of American Rabbis; Christopher Street Financial; Citrix Systems, Inc.; City National Bank; Clockwork; Coalition of Labor Union Women; Columbia Law School Sexuality and Gender Law Clinic; Deutsche Bank; Diageo North America, Inc.; Diversified Health and Wellness Center, LLC; DoorDash, Inc; Dropbox, Inc.; Eastern Bank; Edelman; Equal Rights Advocates; Feminist Majority Foundation; FiftyThree, Inc.; Freedom for All Americans Education Fund; GLBTQ Legal Advocates and Defenders; Gender Justice; Gusto; Hindu American Foundation; IAC/InterActiveCorp; Interfaith Alliance Foundation; KEO Marketing Inc.; Legal Momentum; Legal Voice; Levi Strauss & Company; Linden Research, Inc.; Lyft; MassMutual; Mapbox; Microsoft Corporation; Morgan Stanley; NIO U.S.; National Center for Lesbian Rights; National Council of Jewish Women; National Gay & Lesbian Chamber of Commerce; National Organization for Women Foundation; National Partnership for Women and Families; National Women's Law Center; OBOX Solutions; Out Leadership; Paypal Holdings Inc; Pinterest; RBC Bank (Georgia); RBC Capital Markets, LLC; Replacements, Ltd.; Rhapsody International Inc; Royal Bank of Canada; Southwest Women's Law Center; St. Louis and Kansas City Missouri Chapters of the National Employment Lawyers Association; The Estee Lauder Companies; Thumbtack, Inc.; Ultragenyx Pharmaceutical Inc.; Viacom, Inc.; Witeck Communications; Women Employed; Women of Reform Judaism; Women's Law Center of Maryland, Inc.; Women's Law Project; eBay; salesforce.com, inc

Amici on Behalf of Appellant(s)

The Becket Fund for Religious Liberty; State of Arkansas; State of Louisiana; State of Missouri; State of Nebraska; State of Oklahoma; State of South Dakota; State of Texas

Amici on Behalf of Appellee(s)

Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis
(4:17-cv-02324-JCH)

JUDGMENT

Before LOKEN, WOLLMAN, and STRAS, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is reversed and the cause is remanded to the district court for proceedings consistent with the opinion of this court.

July 06, 2020

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans