

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

Bear Creek Bible Church, et al.

Plaintiffs,

v.

**Equal Employment Opportunity
Commission, et al.,**

Defendants.

Case No. 4:18-cv-00824-O

**JOINT MOTION TO FOR LEAVE TO FILE AMENDED BRIEF IN
SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY
JUDGMENT AND TO EXTEND THE DEFENDANTS' DEADLINE
FOR FILING THEIR RESPONSE**

The plaintiffs filed their motion for summary judgment and brief in support on May 24, 2021. The defendants' response is currently due on Monday, June 21, 2021. There have been recent developments, however, that call for supplemental briefing.

First, on June 15, 2021, the EEOC issued a technical-assistance document entitled, *Protections Against Employment Discrimination Based on Sexual Orientation or Gender Identity*. The plaintiffs filed an amended complaint earlier today to address this new technical-assistance document, and they wish to discuss this document in their summary-judgment briefing.

Second, the Supreme Court announced its judgments today in *Fulton v. City of Philadelphia*, No. 19-123, and *California v. Texas*, No. 19-840. The parties believe that these rulings, which interpret the Free Exercise Clause and Case or Controversy Clause, directly affect the issues in this case. Therefore, the plaintiffs wish to supplement their summary-judgment briefing to address these cases before the defendants

file their response. And, for the same reasons, the defendants wish to address these cases in their Opposition to Plaintiffs' Motion for Summary Judgment.

The parties respectfully ask the Court to: (1) Grant the plaintiffs leave to file an amended brief in support of their motion for summary judgment on or before Monday, June 21, 2021, to address the newly issued EEOC technical-assistance document and the Supreme Court's rulings in *Fulton* and *California*; and (2) Extend the defendants' deadline for responding to the plaintiffs' motion for summary judgment to Monday, June 28, 2021. A proposed order is attached.

Respectfully submitted.

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Dated: June 17, 2021

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CERTIFICATE OF SERVICE

I certify that on June 17, 2021, I served this document through CM/ECF upon:

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
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U.S. Pastor Council, et al.

Plaintiffs,

v.

**Equal Employment Opportunity
Commission**, et al.,

Defendants.

Case No. 4:18-cv-00824-O

[PROPOSED] ORDER GRANTING MOTION TO EXTEND TIME

The parties' joint motion to for leave to file an amended brief in support of the plaintiffs' motion for summary judgment and to extend the defendants' deadline for filing their response is GRANTED.

The plaintiffs shall, no later than June 21, 2021, submit an amended brief in support of their motion for summary judgment. The defendants shall, no later than June 28, 2021, file their brief in response.

Dated: _____, 2021

REED O'CONNOR
UNITED STATES DISTRICT JUDGE