

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
CIVIL APPEAL STATEMENT OF PARTIES AND ISSUES

Case No: 22-5884 Case Manager: Jennifer A. Strobel

Case Name: Chelsey Nelson Photography LLC, et al. v. Louisville-Jefferson County, KY Metro Gov't, et al.

Is this case a cross appeal? Yes No

Has this case or a related one been before this court previously? Yes No

If yes, state:

Case Name: _____ Citation: _____

Was that case mediated through the court's program? Yes No

Please Identify the Parties Against Whom this Appeal is Being Taken and the Specific Issues You Propose to Raise:

This appeal is taken against Chelsey Nelson Photography LLC and Chelsey Nelson (collectively, "Nelson"), who brought a pre-enforcement challenge to Louisville Metro's non-discrimination ordinance because her wedding photography business does not want to provide services to same-sex couples. The issues proposed to be raised by this appeal are whether the District Court erred in its August 30, 2022 Opinion & Order and September 2, 2022 Judgment when it enjoined Louisville Metro Gov't and those acting on its behalf from enforcing Louisville Metro Ordinance Sections 92.05(A) and (B) (the "Ordinance") against Nelson and granted Nelson's motion to exclude the expert testimony of Prof. Barak-Corren. Appellants intend to challenge all grounds for the Court's ruling, including that Nelson has standing to pursue her claims, that her claims were ripe, that the free speech clause of the First Amendment shields Nelson's wedding photography business from enforcement of the Ordinance, that the Ordinance compels Nelson to speak and regulates her speech based on its content/viewpoint, that enforcement of the Ordinance is subject to strict scrutiny analysis, that the Ordinance is not narrowly tailored to serve a compelling interest, that the Ordinance is overinclusive and underinclusive, that Prof. Barak-Corren's expert opinions are unreliable and legally irrelevant, and that enforcement of the Ordinance violates Nelson's rights under the Kentucky Religious Freedom Restoration Act (KRS 446.350).

This is to certify that a copy of this statement was served on opposing counsel of record this 17th day of

October, 2022 .

Casey L. Hinkle

Name of Counsel for Appellant