

FILED

August 14, 2023

KAREN MITCHELL
CLERK, U.S. DISTRICT
COURT

**United States Court of Appeals
for the Fifth Circuit**

United States Court of Appeals
Fifth Circuit

FILED

June 20, 2023

Lyle W. Cayce
Clerk

No. 22-10145

BRAIDWOOD MANAGEMENT, INCORPORATED, *on behalf of itself and others similarly situated*; BEAR CREEK BIBLE CHURCH,

Plaintiffs—Appellants/Cross-Appellees,

versus

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION; UNITED STATES OF AMERICA; CHARLOTTE A. BURROWS; JOCELYN SAMUELS; JANET DHILLON; ANDREA R. LUCAS; KEITH E. SONDERLING, *in their official capacities as chair, vice-chair, and commissioners of the Equal Employment Opportunity Commission*; MERRICK GARLAND, *U.S. Attorney General,*

Defendants—Appellees/Cross-Appellants.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:18-CV-824

Before SMITH, CLEMENT, and WILSON, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED the district court's conclusion that plaintiffs' claims are justiciable is AFFIRMED. The class certifications are REVERSED. The judgment against Bear Creek is AFFIRMED. The ruling that Braidwood is statutorily entitled to a Title VII exemption is AFFIRMED. The judgment that Braidwood is constitutionally entitled to a Title VII exemption is VACATED. The judgment regarding the scope-of-Title-VII claims as a matter of law is VACATED.

This matter is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.



Certified as a true copy and issued
as the mandate on Aug 14, 2023

Attest:

Stylé W. Conner
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

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August 14, 2023

Ms. Karen S. Mitchell
Northern District of Texas, Fort Worth
United States District Court
501 W. 10th Street
Room 310
Fort Worth, TX 76102

No. 22-10145 Braidwood Management v. EEOC
USDC No. 4:18-CV-824

Dear Ms. Mitchell,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Roeshawn Johnson, Deputy Clerk
504-310-7998

cc: Mr. Gene Patrick Hamilton
Mrs. Ashley Cheung Honold
Mr. Jonathan F. Mitchell
Mr. Adam R. Pulver
Ms. Jane Langdell Robinson
Mr. Charles Wylie Scarborough
Mr. Jack Starcher
Mr. Brian Walters Stoltz
Mr. Benjamin Thomas Takemoto