

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

June 20, 2023

Lyle W. Cayce  
Clerk

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No. 22-10145

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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.*

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

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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.