

FAITH MONEY POLITICS U.S. WIRE

Christian couple fighting back after being fined, driven out of business in gay-wedding-cake case

**By Skye Malmberg, The Western Journal****Published January 26, 2020 at 12:23am**

Religious liberty is once again under the microscope.

A pair of Christian bakers from Gresham, Oregon, have been given another chance to fight back against a crippling \$135,000 discrimination fine that helped put them out of business.

“Sweet Cakes by Melissa” owners Aaron and Melissa Klein were forced to close the doors to their shop in 2013 as they faced legal complaints stemming from their decision to decline to bake a wedding cake for a lesbian couple.

They continued baking cakes from home until 2016, when they shut down their business for good.

But after 7 years of legal battles, the Kleins have been given renewed hope by the U.S. Supreme Court, in light of that court's landmark 2018 ruling in a similar case, Masterpiece Cakeshop v. Colorado Civil Rights Commission.

This entire ordeal for the Kleins began in January 2013, when a lesbian couple commissioned a wedding cake from them.

The Kleins initially declined to bake the cake because of their stout religious beliefs that marriage should be between a man and a woman. Aaron Klein at one point quoted a verse from Leviticus to defend that belief.

According to documents from the Oregon Bureau of Labor and Industries, the lesbian couple filed complaints with the Oregon Department of Justice and the Bureau of Labor and Industries, alleging severe emotional repercussions such as depression, embarrassment, anger and anxiety.

Then in 2015, an administrative law judge, Alan McCullough, slapped the Kleins with a \$135,000 fine for their supposed discrimination, The Associated Press reported.

The Kleins appealed to the Oregon Court of Appeals, which ruled against them in 2017.

But the Kleins did not give up, appealing all the way to the U.S. Supreme Court.

And in June, the Supreme Court ordered the Oregon appeals court to take a fresh look at the case.

Earlier this month, the appeals court heard oral arguments in the case. The court must decide again whether the Kleins endured hostility from the state because of their religious beliefs and whether their First Amendment rights were violated, according to PJ Media.



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We recently argued at the Oregon Court of Appeals on behalf of Aaron and Melissa Klein in our SweetCakes by Melissa Case. Here is an exclusive article showing you insider images of the courtroom along with a breakdown of the oral argument.

[#SweetJustice bit.ly/2uaS8Ew](https://www.sweetjustice.com/bit.ly/2uaS8Ew)

Photos of Our Recent Oral Argument on Behalf of Cake Artist ...

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The Kleins' legal team, which includes attorneys from the nonprofit First Liberty Institute and the firm Boyden Gray & Associates, argued in court this month that the Bureau of Labor and Industries displayed anti-religious hostility toward the Kleins by basing the large fine on the lesbian couple's intense reaction to learning that Aaron Klein had cited a Bible verse in defending his religious beliefs.

"When a woman inquired about ordering a custom cake for her same-sex wedding, Klein informed her that he was sorry, but he would have to decline because of the family's religious beliefs," *The Daily Signal* reported.

"After she left the bakery, her mother returned to have a conversation with Klein about the morality of same-sex marriage. That's when he quoted a Bible verse in support of his religious beliefs," the outlet added. "The woman then took offense to her mother's recounting of the story, which also happened to misquote Klein."

The Kleins' attorneys brought up multiple cases where victims of physical violence and months of sexual harassment have been awarded far less money than the emotional damages awarded to the lesbian couple.

Furthermore, Boyden and Gray's Adam Gustafson noted that then-Labor Commissioner Brad Avakian, who in 2014 determined that the couple's civil

rights had been violated, had made a public statement beforehand which showed he was biased against the Kleins because of their religion.

“Everybody’s entitled to their own beliefs, but that doesn’t mean that folks have the right to discriminate,” Avakian had said.

In the Masterpiece ruling, the Supreme Court had ruled that Colorado bakery owner Jack Phillips "was entitled to the neutral and respectful consideration of his claims in all the circumstances of the case."

The Kleins, Gustafson said, were entitled to the same neutral consideration from the state

An attorney for the Bureau of Labor and Industries defended the state appeals court's initial decision, according to *The Oregonian*, asserting that the emotional damages described by the lesbian couple’s testimonies gave warrant to the severity of the fine.

But Gustafson said that based on the Supreme Court’s Masterpiece ruling, the appeals court had no other option but to reverse its prior decision against the Kleins -- including the fine, and end the case in the Kleins' favor.

“The Kleins have been put through too much to have to endure this all over again,” he said.

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