



*(Melissa Klein, former co-owner of Sweet Cakes by Melissa.
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Oregon Bakers Ask U.S. Supreme Court to Protect Free Speech

First Liberty attorneys file appeal seeking review of Oregon's decision to compel the speech of Aaron and Melissa Klein, forcing them out of business

WASHINGTON, D.C.—Attorneys for First Liberty Institute and Boyden Gray & Associates today filed a petition for writ of certiorari with the Supreme Court of the United States on behalf of Aaron and Melissa Klein. The petition asks the Court to reverse the State of Oregon's decision that forced Aaron and Melissa out of business by penalizing them \$135,000 for refusing to create a government-approved message.

A copy of the petition can be found [here](#).

"Freedom of speech has always included the freedom not to speak the government's message," said Kelly Shackelford, President and CEO of First Liberty. "This case can clarify whether speech is truly free if it is government mandated."

Ambassador C. Boyden Gray, of Boyden Gray & Associates, who is also a First Liberty network attorney, said, "Free Americans should not be compelled by the government to create a message that conflicts with their deepest convictions."

The Supreme Court has long protected the right to differ. Recently, in *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*, the Court only reminded the state that government officials cannot be hostile to the free exercise of the religious beliefs of its citizens. In this case, the Court has the opportunity to resolve perhaps the most critical issue the *Masterpiece* Court left unresolved: whether the government can compel citizens to create a message contrary to

their religious beliefs.

The State of Oregon's Bureau of Labor and Industries (BOLI) found that Aaron and Melissa violated Oregon's public accommodations statute after they declined to design and create a wedding cake celebrating a same-sex marriage. In addition to the \$135,000 penalty for "emotional damages," BOLI issued a gag order, preventing them from even talking about their actual beliefs. As a result, the Kleins were forced to shut down their bakery. Aaron and Melissa appealed the BOLI ruling to the Oregon Court of Appeals in April 2016. The Oregon Court of Appeals reversed the gag order but otherwise upheld the decision of BOLI.

To learn more about the case, visit KleinFacts.com.

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About First Liberty Institute

[First Liberty Institute](http://FirstLibertyInstitute.org) is a non-profit public interest law firm and the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

To arrange an interview, contact Lacey McNiel at media@firstliberty.org or by calling 972-941-4453.