



News Release

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Judge's Decision to Overrule Jury Over Christmas Lights Case Appealed to Ninth Circuit

First Liberty Institute brief seeks to reinstate jury's decision after Idaho couple is punished by homeowner's association for spreading Christmas cheer, raising money for homeless children.

Coeur d'Alene, ID—First Liberty Institute and the law firm Gibson Dunn & Crutcher, LLP urged the U.S. Court of Appeals for the Ninth Circuit to reverse an Idaho judge's decision to overrule a jury's verdict finding an Idaho couple's homeowners association ("HOA") discriminated against him based on his religion. First Liberty clients Jeremy and Kristy Morris's HOA harassed them for months over having a Christmas display on their own property.

Read the brief [here](#).

"The jury concluded that the homeowners' association discriminated against the Morris family by repeatedly attempting to shut down the family's Christmas display and children's charity fundraiser," Jeremy Dys, Special Counsel for Litigation and Communications for First Liberty Institute said. "The jury in this case recognized clear religious hostility by the HOA. Their well-reasoned verdict should have been respected by the judge and, now, be reinstated by the Ninth Circuit."

"No one should have to face the discrimination and harassment this family endured just for trying to live out their faith and serve their community. We look forward to presenting our arguments in the Ninth Circuit on behalf of this charitable family," added Allyson Ho, partner at Gibson, Dunn & Crutcher and veteran Supreme Court advocate.

Jeremy and Kristy Morris hosted an annual Christmas display at their home in Hayden, Idaho, asking visitors for donations to charities that serve children with cancer and children who have been victims of abuse and neglect. The Morrises moved to a new home in 2014 and notified the West Hayden Estates First Addition Homeowners Association that they would have a Christmas display.

In response, the HOA wrote, "I am somewhat hesitant in bringing up the fact that some of our residents are non-Christians or of another faith and I don't even want to think of the problems that could bring up" and "we do not wish to . . . fill our neighborhood with the hundreds of people and possible undesirables."

After their HOA tried to block the display, the Morrises sued. A trial resulted in an Idaho jury finding, after days of trial and 15 hours of deliberations, that the HOA

discriminated against the Morrises on the basis of their religion, awarding them \$75,000 damages. The jury also found that the letter sent by the HOA showed “preference that a non-religious individual” should purchase the home. Nonetheless, the judge overruled the jury’s verdict, imposed an injunction preventing the Morrises from decorating their home for Christmas, and imposed thousands of dollars of attorney’s fees on the Morrises.

“I had to go to court because I invited my neighbors for Christmas. I truly hope the judges on the Ninth Circuit will free us to be able to once again celebrate Christmas and raise money for charity,” Kristy Morris added.

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About First Liberty Institute

[First Liberty Institute](#) is the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

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