

Oregon Bakers Forced Out of Business Make Their Case Before Oregon Court of Appeals

Attorneys explain how Aaron and Melissa Klein would serve everyone who visited their bakery, but should not be forced to endorse messages that conflict with their beliefs

Salem, OR—Today, the Oregon Court of Appeals again heard oral arguments in the case of Aaron and Melissa Klein, former owners of Sweet Cakes by Melissa. Last June, the Supreme Court of the United States vacated an earlier decision by the state court that effectively forced Aaron and Melissa out of business by penalizing them \$135,000 for refusing to create a government-approved message in conflict with their sincerely held religious beliefs.

“The government should not be in the business of deciding whose faith is or is not acceptable,” said Keisha Russell, Counsel to First Liberty Institute. “Government officials must remain neutral. When government decides whose faith is or is not acceptable, it discriminates against people of faith.”

Former Ambassador to the European Union, C. Boyden Gray and Adam Gustafson of Boyden Gray & Associates are the lead appellate counsel for the case along with First Liberty.

Melissa said, “We welcomed and served everyone in our bakery, but we could not endorse all messages. We lost everything we loved and worked so hard to build. Our hope is that maybe someday we can, once again, reopen our bakery and serve everyone without being forced to celebrate events that conflict with our religious beliefs.”

The Supreme Court sent the case back to Oregon courts for further review in light of *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*. The State of Oregon’s Bureau of Labor and Industries (BOLI) found that the Kleins had violated Oregon’s public accommodations statute after Aaron and Melissa declined to design and create a wedding cake celebrating a same-sex marriage. In court, attorneys for the Kleins argued that BOLI’s Commissioner, Brad Avakian, abandoned the constitutional requirements of neutrality, tolerance, and respect when, even before their case even came before him, he spoke dismissively of the Kleins’ religious objections.

In addition to the \$135,000 penalty for “emotional damages,” BOLI issued a gag order, limiting the Kleins’ ability to talk publicly about their beliefs. After BOLI’s decision, the Kleins were forced to shut down their bakery.

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

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About First Liberty Institute

[First Liberty Institute](#) 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.

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