

## **Beloved Football Coach who was Fired for Brief, Private Prayer Makes Case Before Ninth Circuit Court of Appeals**

*Attorneys ask court to reinstate football coach who was fired after praying silently and alone for 15-30 seconds after football game*

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**San Francisco, CA**—Today, the U.S. Court of Appeals for the Ninth Circuit again heard oral argument in the case of Coach Joe Kennedy, the longtime Bremerton (WA) football coach who was fired after the 2015 season because he took a knee in brief, personal prayer after football games. First Liberty Institute, Kirkland & Ellis LLP, Jeff Helsdon, and A.J. Ferate collectively represent Kennedy.

“Coach Kennedy spent more than 20 years defending our freedoms in the U.S. Marine Corps. Sadly, the school district forced him to choose between his faith and the job he loves. Now, the rights of millions of Americans—the very rights Coach fought for as a Marine—could be wiped away,” said Mike Berry, First Liberty Institute’s General Counsel. “We hope the Ninth Circuit will end this blatant religious discrimination and protect religious freedom.”

Devin Anderson, a partner at Kirkland & Ellis LLP who argued on behalf of Kennedy said, “For over five long years Coach Kennedy has had to miss coaching the game he loves. Joe has fought—first as a U.S. Marine, then as a coach—to prove that every American has the right to engage in individual religious expression, including while at work, without fear of getting fired.”

In January 2019, the Supreme Court of the United States declined to review the case at that time and instead allowed Coach Kennedy’s case to continue through the court system. In a separate statement written by Justice Alito and joined by Justices Thomas, Gorsuch, and Kavanaugh, the justices explained that the Court needed more information in order to resolve the matter. As Justice Alito wrote, “the Ninth Circuit’s understanding of the free speech rights of public school teachers is troubling and may justify review in the future.” The case then returned to the district court for further review where, in January 2020, U.S. District Court Judge Ronald Leighton granted the Bremerton (WA) School District’s motion for summary judgment. Kennedy’s attorneys then appealed to the Ninth Circuit.

Coach Kennedy’s case continues to receive attention and support from across the nation, including Franklin Graham, College Football Hall of Fame coach Bobby Bowden, NFL Hall of Famer Steve Largent, and Super Bowl winner Chad Hennings.

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### **About First Liberty Institute**

[First Liberty Institute](http://www.firstliberty.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.

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