



THE AQUILA REPORT

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They Serve Gay Clients All The Time. So Why Won't They Cater A Same-Sex Wedding?

Josh Shepherd

September 17, 2017

On Wednesday, Colorado baker and businessman Jack Phillips spoke publicly in detail for the first time about his upcoming case at the U.S. Supreme Court.

In 2012, the Colorado Civil Rights Commission fined Phillips, owner of Masterpiece Cakeshop in Lakewood, Co. He had declined to design, bake, and sell a wedding cake for a same-sex wedding. Five years later, on June 26, 2017, the Supreme Court granted his appeal of a lower court decision.

Phillips answered questions at a policy forum hosted by The Heritage Foundation in Washington, DC. “The Commission ruled that I am required now to make cakes for same-sex weddings,” he stated. “In order to comply with that ruling and obey the law, we decided we wouldn't make wedding cakes at all. It was 40 percent of our business and we lost that. Before the two men came into our shop, I had ten employees. Now I have four.”

Phillips' legal battle centered on alleged discrimination, and free speech is expected to become a topic of national discussion when the Supreme Court hears his case later this year. The high court's ruling in the 2015 case *Obergefell v. Hodges* legalized same-sex marriages across the United States.

On Thursday at a Capitol Hill press conference, Congresswoman Vicki Hartzler (R-Missouri) and Senator Mike Lee (R-Utah) announced that 86 members of Congress have signed on to an amicus brief in support of Phillips' rights to free expression.

The Cato Institute, a leading libertarian think tank which supports same-sex marriage, also filed an amicus brief in his support. “Speech compulsions are just as unconstitutional as speech restrictions,” states an excerpt from their brief.

Most surprising to those opposing him, the Trump administration's Justice Department also filed a brief supporting Phillips. “I find this nothing short of shocking,” said Louise Melling, deputy legal counsel of the American Civil Liberties Union (ACLU).

At the policy forum, Phillips appeared alongside other Americans whose work has been threatened by lawsuits. The legal battles stemmed from the artists' reticence to utilize their creative talents and services in affirming same-sex marriage.

The other once and future plaintiffs included florist Barronelle Stutzman of Richland, Wa., whose case may yet be granted cert and paired with the *Masterpiece Cakeshop* case; and Blaine Adamson, owner of t-shirt company Hands On Originals in Lexington, Ky. Adamson won a recent ruling from the Kentucky Court of Appeals, which concerned an order to print gay pride t-shirts which his company referred to another vendor.

At one point, moderator Ryan T. Anderson, senior research fellow at The Heritage Foundation, asked two pointed questions: "What's the big deal about marriage? What's the big deal about the wedding flowers and the wedding cake?"