

Speaker Mike Johnson's Decades-Long Anti-LGBTQ, Anti-Choice, Pro-Religious Fundamentalist Legal History

SUMMARY: Speaker Mike Johnson (R-LA) has a "[long history with the religious right](#)," largely through his many years as a lawyer before he entered politics.

Johnson is best known for his long tenure at Alliance Defending Freedom, formerly known as Alliance Defense Fund, an "[anti-LGBTQ hate group](#)" which is dedicated to "[dismantling LGBTQ+ freedoms and outlawing abortion](#)." Johnson, while a spokesman for the group, has called homosexuals "[sinful](#)" and "[destructive](#)" and has even suggested that "[sodomy](#)" should be criminalized.

A new Accountable.US review has compiled Johnson's decades-long history of representing forces trying to roll back LGBTQ rights, reproductive rights, and embolden religious fundamentalism throughout his career:

Anti-LGBTQ

- [2015](#): Mike Johnson defended Louisiana's ban on allowing same-sex couples to jointly file state income taxes and to register two parents on birth certificates, until the Supreme Court affirmed the constitutional right of same-sex marriage in *Obergefell v. Hodges*.
- [2014](#): Johnson represented Louisiana state officials in a Fifth Circuit challenge from several same-sex couples against the state's same-sex marriage ban. Johnson also helped Louisiana defend its ban in three individual district court cases that comprised the Fifth Circuit case.
- [2013](#): Johnson represented Louisiana as the state attempted to bar a mother from adopting her wife's biological son.
- [2004](#): Johnson represented judicial candidate John B. Wells, who ran campaign brochures touting his "pro-life" and "pro-marriage" positions and challenged the state's code of judicial conduct, which prohibited judicial candidates from making "cases, controversies, or issues that are likely to come before the court."

Anti-Choice

- [2014](#): Johnson represented Louisiana's Secretary of Health and Hospitals in a challenge against a state law requiring abortion providers to have admitting privileges at hospitals within 30 miles, threatening "irreparable injury" to patients and providers.
- [2012](#): Johnson represented Louisiana College in its successful challenge against the Affordable Care Act's contraceptive coverage mandate. The American Civil Liberties Union (ACLU), filing an opposed amicus brief, argued that the college's lawsuit sought to "to impose their religious beliefs on others."
- [2005](#): Johnson represented the Children First Foundation in a federal lawsuit against New York state claiming that it violated the constitution by rejecting a "choose life" license plate design.

Religion

- [2015](#): Johnson successfully fought to keep millions of dollars in tourism tax incentives for Ark Encounter, a biblical theme park in Kentucky that intended to discriminate on the basis of religion in its hiring practices.

- [2011](#): Johnson represented Forsyth County, North Carolina against a lawsuit from two residents and civil liberties advocates who argued that the county board's pre-meeting prayers violated the Constitution.
- [2008](#): Johnson represented multiple defendants in a lawsuit from the publisher of a Cincinnati newspaper which claimed religious leaders and others engaged in a "conspiracy to violate" its First Amendment rights by publicly pressuring it to end adult-oriented advertisements.
- [2008](#): Johnson defended a town in upstate New York, which, the supreme court ruled, could open its town board meetings with a sectarian christian prayer.
- [2007](#): Johnson represented a sidewalk preacher who shouted bible verses at patrons of a local restaurant in Louisiana.
- [2006](#): Johnson represented Tangipahoa Parish School Board and others in a Fifth Circuit case over the school board's practice of opening meetings with prayers.
- [2006](#): Johnson represented two christian parents who unsuccessfully argued that a school district in Texas violated their childrens' right to religious speech in the classroom.
- [2003](#): Johnson represented anti-LGBTQ Focus On The Family in an amicus brief in support of far-right judge Roy Moore and a two-and a half ton Ten Commandments monument in the Alabama state judicial building.

2015: Mike Johnson Successfully Fought To Keep Millions Of Dollars In Tourism Tax Incentives For Ark Encounter, A Biblical Theme Park In Kentucky That Intended To Discriminate On The Basis Of Religion In Its Hiring Practices.

Ark Encounter Is A Theme Park Located In Williamstown, Kentucky, Which Features A Model Of The Biblical Noah's Ark. "Ark Encounter features a full-size Noah's Ark, built according to the dimensions given in the Bible. Spanning 510 feet long, 85 feet wide, and 51 feet high, this modern engineering marvel amazes visitors young and old. Ark Encounter is situated in beautiful Grant County in Williamstown, Kentucky, halfway between Cincinnati and Lexington and right off I-75." [Ark Encounter, accessed [10/30/2023](#)]

- **In 2014, Ark Encounter, LLC, Was Owned By A Nonprofit Subsidiary Of Answers In Genesis, A Christian Creationist Ministry.** "The long-planned attraction is being built by a nonprofit subsidiary of Answers in Genesis, the Kentucky-based Christian ministry that operates the popular and controversial Creation Museum." [The Guardian, [12/11/14](#)]

December 2014: The State Of Kentucky Rescinded An Estimated \$18 Million In Tourism Tax Incentives That Had Initially Been Promised To Ark Encounter After The Group Reneged On A Pledge Not To Discriminate In Hiring On The Basis Of Religious Belief. "Kentucky has withdrawn its offer of tax breaks for a religious-themed park that would feature a 500ft-long wooden ark because its organisers plan to screen park employees based on religion...The project had received preliminary approval in July for up to \$18m in tax rebates. Governor Steve Beshear, who had supported the project since it was unveiled in 2010, said in a written statement on Wednesday that the leaders of the project had gone back on a pledge not to discriminate in hiring." [The Guardian, [12/11/14](#)]

In 2015, Ark Encounter Hired Mike Johnson And His Public Interest Law Firm In Its Fight To Retain The Tourism Tax Incentives. "Working for Freedom Guard, a non-profit proclaiming a commitment to defending religious liberty, Johnson was hired by Answers in Genesis, a creationist ministry, in 2015, after the state of

Kentucky rescinded an offer of tourism tax incentives for the project in Williamstown, citing discrimination against non-Christians.” [The Guardian, [10/26/23](#)]

- **Mike Johnson Founded Freedom Guard And Served As Its Chief Executive Officer And Chief Counsel.** “In Louisiana and beyond, that work is being handled very effectively these days by a public interest law firm known as Freedom Guard. This not-for-profit legal organization is dedicated to defending faith and freedom through landmark litigation, strategic counsel, education initiatives, and public advocacy. The work of the organization is led by CEO and Chief Counsel Mike Johnson, a nationally recognized constitutional law attorney who is a member of the Louisiana Legislature, and who formerly served as Senior Legal Counsel and media spokesman for the Alliance Defending Freedom, and as a trustee of the Ethics and Religious Liberty Commission of the Southern Baptist Convention.” [The Bridge, [8/2015](#)]

Ark Encounter Eventually Won Their Case In Federal District Court After The Judge Ruled That The State Could Not Discriminate Against The Organization On The Basis Of Religion. “A federal judge ruled Monday that Kentucky officials violated the ark builders' First Amendment protections by blocking it from the sales tax tourism incentive that could have been worth up to \$18 million...A spokeswoman for Gov. Matt Bevin said Tuesday that the state has no plans to appeal, adding that they were pleased with U.S. District Judge Gregory Van Tatenhove's ruling. The Ark Encounter, being built by Christian group Answers in Genesis, is due to open in July. Van Tatenhove ruled the state's Tourism Cabinet cannot exclude the ark attraction from the incentive based on its "religious purpose and message." The state initially celebrated the project but reversed course in late 2014.” [WCPO, [1/25/16](#)]

However, Ark Encounter Eventually Lost The Tax Incentives After A Breach Of Contract In 17. “The Ark Encounter is losing a major tax break of \$18 million for breach of contract. Weeks after the Ark Encounter celebrated its one year anniversary, the state's tourism agency pulled the plug on millions in tax breaks. The Tourism Art and Heritage Cabinet claims Answers in Genesis, the group that built the Ark, broke an incentives agreement by transferring the property to a nonprofit affiliate.” [WDRB, [7/21/23](#)]

- **The Owner Of Ark Encounter, Ken Ham, Sold The Multi-Million Dollar Property To His Own Nonprofit For \$10 In What Appeared To Be An Attempt To Avoid Paying A New Safety Tax.** “Not satisfied enough with winning a court battle worth \$18 million in tax rebates after convincing a judge that his for-profit business, which is actively using religion as a form of employment discrimination, he has now sold the land the theme park sits on, worth \$48 million, to his own non-profit entity, Crosswater Canyon, for \$10. You read that right, ten dollars...This allows Ham to claim his land is a non-profit and not subject to the new safety tax passed by city officials which would have collected 50 cents of every entry ticket sold. This move also worries local politicians and residents because it sets up the park to claim exemption from all other taxes as well that includes the funding of public schools.” [Huffington Post, [7/18/17](#)]

Ken Ham Quickly Sold Ark Encounter Back To His For-Profit Entity To Retain The Tax Incentives. “Faced with losing \$18 million in tax incentives, the Ark Encounter operators sold the ark property back to their for-profit entity on Monday. This will likely mean the state will restore the tax incentives for the Noah's Ark-themed attraction in Grant County, a rural county about a 45-minute drive south from Cincinnati. Kentucky halted the Ark Encounter's tax incentives last week when tourism officials determined the attraction breached its agreement with the state after its ownership changed to nonprofit. This property maneuver has happened while the Ark Encounter and city of Williamstown feud over a 50-cent safety fee.” [Cincinnati Enquirer, [7/25/17](#)]

2015: Mike Johnson Defended Louisiana’s Ban On Allowing Same-Sex Couples To Jointly File State Income Taxes And To Register Two Parents On Birth Certificates Until The Supreme Court Ruled On The Constitutional Right Of Same-Sex Marriage In Obergefell v. Hodges.

J. Michael Johnson Represented Devin George And Tim Barfield In The Federal Lawsuit Forum For Equality Louisiana, Inc. Et Al v. Barfield Et Al.

<p>J. Michael Johnson Law Offices of Mike Johnson, LLC 2250 Hospital Drive Suite 248 Bossier City, LA 71111 318-658-9456 318-658-9605 (fax) mjohansonlegal@gmail.com <i>Assigned: 06/11/2014</i> ATTORNEY TO BE NOTICED</p>	representing	<p>Devin George <i>(Defendant)</i></p> <p>Tim Barfield <i>(Defendant)</i></p>
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[USCourts.gov, Forum for Equality Louisiana Inc. v. Barfield, accessed [10/30/23](#)]

- **Speaker Mike Johnson’s Full Name Is James Michael Johnson.** “The Republican-controlled House voted, 220-208, to make the 51-year-old Johnson—full name James Michael Johnson—the 56th speaker in history.” [Biography, [10/26/23](#)]
- **At The Time, Tim Barfield Was Louisiana Revenue Secretary And Devin George Was Louisiana State Registrar.** “The suit specifically names Louisiana Revenue Secretary Tim Barfield and Louisiana State Registrar Devin George as defendants, both in their official capacities.” [NOLA.com, [2/13/14](#)]

February 2014: The New Orleans-Based Nonprofit Forum For Equality Louisiana Sued The State For Not Allowing Same-Sex Married Couples To File Joint State Income Taxes And Its Refusal To Allow Same-Sex Couples To Register Both Parents On Birth Certificates. “The civil lawsuit, filed in New Orleans by the nonprofit Forum for Equality Louisiana, focuses on the state not allowing same-sex married couples to file joint state income taxes and its refusal to allow birth certificates to name both spouses in a same-sex couple as parents.” [NOLA.com, [2/13/14](#)]

- **The Lawsuit Was “Narrowly Constructed” To Grant Benefits To Same-Sex Couples In Louisiana Who Were Married In Another State.** “Acknowledging that the suit is more narrowly constructed in that it does not fight to allow gay marriages to take place in Louisiana, Courson said, “It is a conservative first step.” [NOLA.com, [2/13/14](#)]

September 2014: A Federal Judge For The U.S. District Court For The Eastern District Of Louisiana Granted Summary Judgment For Barfield And George.

<p style="text-align: center;">J U D G M E N T</p> <p>For the written reasons of the Court on file herein, accordingly;</p> <p>IT IS ORDERED, ADJUDGED AND DECREED that the plaintiffs’ motion for summary judgment is DENIED and defendants’ motion for summary judgment is GRANTED.</p> <p>New Orleans, Louisiana, this <u>3rd</u> day of September, 2014.</p> <p style="text-align: center;"> MARTIN A. C. FELDMAN UNITED STATES DISTRICT JUDGE</p>

[Forum For Equality Louisiana, Inc. et al. v. Barfield et al., [9/3/2014](#)]

- **Martin L.C. Feldman Was Nominated To The Federal Bench By President Ronald Reagan.** “Nominated by Ronald Reagan on September 9, 1983, confirmed by the Senate on October 4, 1983, and received his commission on October 5, 1983, Judge Feldman was the second longest serving active federal district court judge in the country.” [United States District Court Eastern District of Louisiana, [1/27/22](#)]

June 2015: The United States Supreme Court Rules That Same-Sex Couples Have A Constitutional Right To Marriage. “In a long-sought victory for the gay rights movement, the Supreme Court ruled by a 5-to-4 vote on Friday that the Constitution guarantees a right to same-sex marriage.” [The New York Times, [6/26/15](#)]

- **July 2015: The Court Of Appeals For The Fifth Circuit Reversed The Lower Court’s Decision In Forum For Equality Louisiana v. Barfield In Light Of The Supreme Court’s Decision.** “This court sought and promptly received letter advisories from plaintiffs and the state, asking their respective positions on the proper disposition in light of Obergefell. They are agreed that the judgment should be reversed and remanded for entry of judgment in favor of plaintiffs. Because this court agrees that that is the required result, the judgment appealed from is REVERSED, and this matter is REMANDED for entry of judgment in favor of the plaintiffs.” [United States Court of Appeals for the Fifth Circuit, [7/2/15](#)]

2014: Mike Johnson, While With Kitchens Law Firm APLC, Was An Attorney For Louisiana State Officials In Robicheaux v. Caldwell, A Fifth Circuit Challenge From Several Same-Sex Couples Against The State’s Same-Sex Marriage Ban—Johnson Also Helped Louisiana Defend Its Ban In Three Individual District Court Cases That Comprised The Fifth Circuit Case.

September 2014: James Michael Johnson, While With Kitchens Law Firm APLC, Was Listed As An Attorney For Louisiana Attorney General Buddy Caldwell And Other Louisiana State Officials In Jonathan Robicheaux v. James Caldwell:

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Defendant - Appellee

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Defendant - Appellee

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Kathy Kliebert, in her official capacity as the Louisiana Secretary of Health and Hospitals
Defendant - Appellee

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James D. Caldwell, in his official capacity as the Louisiana Attorney General, also known as Buddy Caldwell
Defendant - Appellee

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[General Docket, Case No. 14-31037, United States Court of Appeals for the Fifth Circuit, [09/05/14](#)]

Johnson Represented Louisiana State Officials In The Three Individual U.S. District Court Cases That Comprised Fifth Circuit Case Robicheaux v. Caldwell:

<p>Originating Court Information: District: 053L-2 : 2:13-CV-5090 Court Reporter: Toni Doyle Tusa, Court Reporter Originating Judge: Martin L.C. Feldman, U.S. District Judge Date Filed: 07/16/2013 Date NOA Filed: 09/04/2014</p> <p>District: 053L-2 : 2:14-CV-327 Originating Judge: Martin L.C. Feldman, U.S. District Judge Date Filed: 02/12/2014 Date NOA Filed: 09/04/2014</p> <p>District: 053L-2 : 2:14-CV-97 Originating Judge: Martin L.C. Feldman, U.S. District Judge Date Filed: 01/14/2014 Date NOA Filed: 09/05/2014</p>
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[General Docket, Case No. 14-31037, United States Court of Appeals for the Fifth Circuit, [09/05/14](#)]

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[CIVIL DOCKET FOR CASE #: 2:13-cv-05090-MLCF-MBN, U.S. District Court for the Eastern District of Louisiana (New Orleans, [07/17/13](#))]

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[CIVIL DOCKET FOR CASE #: 2:14-cv-00327-MLCF-MBN, U.S. District Court for the Eastern District of Louisiana (New Orleans, [02/12/14](#))]

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[CIVIL DOCKET FOR CASE #: 2:14-cv-00097-MLCF-MBN, U.S. District Court for the Eastern District of Louisiana (New Orleans, [01/14/14](#))]

In Robicheaux v. Caldwell, Seven Same-Sex Couples And An Organization Representing Same-Sex Couples Sued The State For The Right To Marry Or To Have Their Marriages From Other States Recognized By Louisiana—A Louisiana District Court Ruled Against Them, Granting Summary Judgment In Favor Of The State. “Plaintiffs, seven same-sex couples and an organization whose membership includes same-sex couples and their families, seek to marry in Louisiana or to have their marriage in another state recognized in Louisiana. The district court granted summary judgment to defendants.” [Justia, [07/01/15](#)]

While Robicheaux v. Caldwell Was Awaiting Appeal, The U.S. Supreme Court Ruled In Favor Of Same-Sex Marriage In Obergefell v. Hodges And The U.S. Fifth Circuit Court Of Appeals Reversed And Remanded The Robicheaux Decision In Favor Of The Same-Sex Couples. “While this appeal was under submission, the Supreme Court decided Obergefell v. Hodges, which held in part that there is no lawful basis for a state to refuse to recognize a lawful same-sex marriage performed in another state on the ground of its

same-sex character. Accordingly, the court reversed and remanded for entry of judgment in favor of plaintiffs.” [Justia, [07/01/15](#)]

In 2014, U.S. District Judge Martin Feldman Was “The First Federal Judge To Uphold A State’s Discriminatory Ban On Same-Sex Marriage” After The Supreme Court Decision In U.S. V. Windsor. “On September 3, 2014, District Judge Martin Feldman of the Eastern District of Louisiana became the first federal judge to uphold a state’s discriminatory ban on same-sex marriage following the Supreme Court’s decision in United States v. Windsor.” [Constitutional Accountability Center, accessed [10/30/23](#)]

2014: J. Michael Johnson Represented Louisiana’s Secretary Of Health And Hospitals In June Medical Services LLC v. Kathy Kliebert, A Challenge Against A State Law Requiring Abortion Providers To Have Admitting Privileges At Hospitals Within 30 Miles, Threatening “Irreparable Injury” To Patients And Providers.

August 2014: J. Michael Johnson, While With Kitchens Law Firm, Represented Then-Louisiana Secretary Of Health And Hospitals Kathy Kliebert In June Medical Services LLC v. Kathy Kliebert:

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ATTORNEY TO BE NOTICED

representing **Kathy Kliebert**
(Defendant)

[Attorneys, Case No. 3:14-cv-00525-JWD-RLB, [08/22/14](#)]

- **Kathy H. Kliebert Was Secretary Of The Louisiana Department Of Health And Hospitals.** “Appointed by Louisiana Governor Bobby Jindal, Kathy H. Kliebert became secretary of the state’s Department of Health and Hospitals in March 2013 after a long-term career in public service in Louisiana.” [Louisiana Association of Health Plans, accessed [10/30/23](#)]

June Medical Services LLC v. Kathy Kliebert Was Also Known As June Medical Services LLC Et Al v. Courtney Phillips—The Two Shared The Same Case Number. “The case is June Medical Services LLC et al v. Courtney Phillips, U.S. District Court, Middle District of Louisiana. No. 3:14-CV-00525-JWD-RLB.” [Reuters, [06/10/22](#)]

The Case Was A “Long-Running Challenge” Against Louisiana’s “Restrictions On Doctors Performing Abortions.” “Louisiana has agreed to pay \$3.8 million in legal fees to the Center for Reproductive Rights and other law firms in a long-running case that challenged the state’s restrictions on doctors performing abortions, according to a federal judge’s order on Friday.” [Reuters, [06/10/22](#)]

June Medical Services Et Al. Argued That A Louisiana Law Requiring Abortion Providers To Have Admitting Privileges At Hospitals No Further Than Thirty Miles Away From Their Abortion Facilities Was “An Impossible Task” Given The Time Requirements In The Law. “This is an action for declaratory and injunctive relief brought under the United States Constitution and 42 U.S.C. § 1983, to challenge the constitutionality of Louisiana House Bill 388, Regular Session (2014), to be codified at La. Rev. Stat. § 40:1299.35.2 (‘H.B. 388’ or the ‘Act’). [...] The Act requires that every doctor who provides abortions have active admitting privileges at a hospital not more than thirty miles from where the abortion is performed, and gives doctors a mere eighty-one days to comply, an impossible task in light of the fact that the hospitals within the area proscribed by the statute can take anywhere from 90 days to seven months to decide on a doctor’s

privileges application.” [Complaint, Case 3:14-cv-00525-JWD-RLB, U.S. District Court for the Middle District of Louisiana, [08/22/14](#)]

June Medical Services Et Al. Argued That The Law’s Admitting Privileges Requirement “Threatens Irreparable Injury” To Patients And Providers And Deprives Patients Of “Their Constitutional Right To An Abortion.” “As such, the admitting privileges requirement threatens irreparable injury to the Clinic Plaintiffs, their staff, and their patients, including, but not limited to, by depriving Plaintiff’s patients’ of their constitutional right to an abortion.” [Complaint, Case 3:14-cv-00525-JWD-RLB, U.S. District Court for the Middle District of Louisiana, [08/22/14](#)]

2013: Mike Johnson Represented Louisiana As The State Attempted To Bar A Mother From Adopting Her Wife’s Biological Son

July 2013: Angela Costanza Filed A Petition In Louisiana For Intrafamily Adoption Of The Son Of Her Wife, Chasity Brewer, Whom She Married In California In 2008. “In 2004, Chasity Brewer gave birth to a baby boy while living in California. At the time, Brewer was unmarried, and the child was conceived as a result of insemination by an anonymous sperm donor. In 2008, Brewer and her partner, Angela Costanza, were married in California, where same-sex marriages are permitted. By 2013, the couple came to live in Lafayette Parish in the state of Louisiana and in July 2013, Angela Costanza filed a petition for intrafamily adoption so that she may have parental rights to Brewer’s son.” [Journal of Civil Law Studies, [10/5/15](#)]

January 2014: A Louisiana Court Approved The Intrafamily Adoption. “In January of 2014, counsel for Costanza and Brewer presented the couples’ entire adoption file to the court. Costanza, Brewer and their child were present, but the Attorney General for Louisiana was not. The court reviewed the entire adoption file and, after finding that all contents were in the proper form, granted the intrafamily adoption on January 27, 2014.” [Journal of Civil Law Studies, [10/5/15](#)]

March 2014: The Attorney General For Louisiana Intervened And Asked An Appeals Court To Vacate The Lower Court’s Ruling Allowing The Intrafamily Adoption. “In March 2014, the Attorney General for Louisiana, James Caldwell, filed an appeal in the Third Circuit Court of Appeals. Citing Louisiana’s Code of Civil Procedure, the Attorney General stated that he was not given notice or any opportunity to be heard and the judgment should be vacated and remanded because of this.” [Journal of Civil Law Studies, [10/5/15](#)]

- **A State Appeals Court Ruled In Favor Of The Attorney General.**

On March 6, 2014, Attorney General Caldwell, on behalf of the State of Louisiana, moved the court for a Suspensive Appeal from the final adoption decree signed on February 5, 2014. The Order for that Suspensive Appeal was signed March 10, 2014. Briefs were filed with the Court of Appeal of Louisiana, Third Circuit and oral arguments were heard. The Third Circuit rendered a Judgment on June 11, 2014. The findings of the Third Circuit are as follows:

“We find that the trial court erred by holding the hearing on this matter without notifying the Attorney General as required by La. Code of Civ.P. art. 1572. There

[Costanza et al. v. Caldwell et al., [9/23/14](#)]

September 2014: A State District Court Ruled That Louisiana’s Defense Of Marriage Act Violated The Constitution And Ordered That Costanza And Brewer’s Marriage Be Recognized And That They Be Granted Their Intrafamily Adoption. “On September 22, 2014, Judge Edward Rubin of the 15th Judicial District Court ruled in favor of the plaintiffs, finding that the state's Defense of Marriage Act was unconstitutional under the due process clause, the equal protection clause, and the full-faith and credit clause of the federal constitution. The ruling ordered that the couple's marriage be recognized and granted a same-sex couple's second-parent adoption.” [Civil Rights Litigation Clearinghouse, accessed [10/30/23](#)]

- **J. Michael Johnson (Mike Johnson) Represented Louisiana In The Case.**

Attorney for Defendant	Caldwell, James David (Louisiana)
	Duncan, S. Kyle (District of Columbia)
	Johnson, J. Michael (Louisiana)
	Phillips, Trey (Louisiana)
	Thornhill, Jessica M.P. (Louisiana)
	Wilton, Patricia Hill (Louisiana)

[Civil Rights Litigation Clearinghouse, accessed [10/30/23](#)]

The Case Was Appealed In Late 2014, But Ultimately, The Lawsuit Was Rendered Moot Following The Supreme Court’s Decision In Obergefell v. Hodges In June 2015. “On September 25, the state of Louisiana appealed, putting the ruling on hold. on July 7, 2015, the Louisiana Supreme Court dismissed the State's appeal as moot. 167 So.3d 619 (2015). In its per curiam order, the Court explained that while the appeal was pending, the U.S. Supreme Court had decided Obergefell v. Hodges, 135 S.Ct. 2584 (2015), which held that state bans on same-sex marriage violate both the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the United States Constitution. The Obergefell Court also ruled that there is "no lawful basis" to uphold so-called "recognition bans"—such as Louisiana's laws banning recognition of same-sex marriages performed under the laws of other states.” [Civil Rights Litigation Clearinghouse, accessed [10/30/23](#)]

2011: Mike Johnson, While With Alliance Defense Fund, Represented Forsyth County, North Carolina Against A Lawsuit From Two Residents And Civil Liberties Advocates Who Argued That The County Board’s “Sectarian Invocations” Violated The Establishment Clause.

James Michael Johnson, While With Alliance Defense Fund, Represented Appellant Forsyth County, North Carolina In Joyner v. Forsyth County. “ARGUED: James Michael Johnson, ALLIANCE DEFENSE FUND, Shreveport, Louisiana, for Appellant.” [Opinion, Case No. 10-123, U.S. Court of Appeals for the Fourth Circuit via American Civil Liberties Union, [07/29/11](#)]

The Case Was Filed In 2007 By The American Civil Liberties Union (ACLU) And Other Entities On Behalf Of Two Forsyth County Residents Who “Objected To The Sectarian Invocations” At The Beginning Of County Board Of Commissioner Meetings. “The case, Joyner v. Forsyth County, was filed in 2007 by the American Civil Liberties Union, the American Civil Liberties Union of North Carolina Legal Foundation (ACLU-NCLF), and the Winston-Salem Chapter of Americans United for Separation of Church and State, on behalf of Janet Joyner and Constance Blackmon. The two women are longtime Forsyth County residents who had attended meetings of the County Board of Commissioners and objected to the sectarian invocations that were routinely delivered by clergy at meetings.

2012: The U.S. Supreme Court Declined To Review A Fourth Circuit Ruling Finding That Forsyth County Violated The First Amendment’s Establishment Cause—This Followed Rulings From U.S.

Magistrate Judge And A U.S. District Judge Against Forsyth County. “The U.S. Supreme Court announced today that it will not review a ruling from the U.S. Court of Appeals for the Fourth Circuit finding that the Forsyth County, North Carolina, Board of Commissioners violated the Establishment Clause of the First Amendment by opening an estimated four-fifths of public meetings with sectarian prayer. [...] A U.S. magistrate judge, the U.S. District Court for the Middle District of North Carolina, and the Fourth Circuit Court of Appeals previously ruled the prayers unconstitutional, holding that their content amounted to a government endorsement of Christianity over other belief systems.” [American Civil Liberties Union, [01/17/12](#)]

The Legal Director For The ACLU Of North Carolina’s Legal Foundation Said “Overtly Sectarian Does Not Belong In A Government Meeting.” “‘Overtly sectarian prayer does not belong in a government meeting,’ said Katy Parker, Legal Director for the ACLU-NCLF. “This is the same conclusion that was reached by three separate lower courts who heard our case. The law is now settled, and we are very happy that nobody in Forsyth County will feel like a second-class citizen because of what they believe.” [American Civil Liberties Union, [01/17/12](#)]

2012: Mike Johnson Represented Louisiana College In Its Successful Challenge Against The Affordable Care Act’s Contraceptive Coverage Mandate—The American Civil Liberties Union (ACLU), Filing An Opposed Amicus Brief, Argued That The College’s Lawsuit Sought To “To Impose Their Religious Beliefs On Others.”

James Michael Johnson Represented Plaintiff-Appellee Louisiana College In Louisiana College v. Sylvia Burwell, Secy, HHS, Et Al, Originated In A U.S. District Court On February 18, 2012 And Filed In The Fifth Circuit U.S. Court Of Appeals On October 9, 2014. [Justia, [10/09/14](#)]

- **J. Michael Johnson’s Role In The Case Was Terminated On August 17, 2018:**

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[CIVIL DOCKET FOR CASE #: 1:12-cv-00463-DDD-JDK, U.S. District Court for the Western District of Louisiana, [02/18/12](#)]

- **The Case Originated In February 2012 In The U.S. District Court For The Western District Of Louisiana, Alexandria:**

Court of Appeals Docket #: 14-31167
Nature of Suit: 2440 Other Civil Rights
Louisiana College v. Eric Hargan
Appeal From: Western District of Louisiana, Alexandria
Fee Status: United States

[...]

Originating Court Information:
District: 0536-1 : [1:12-CV-463](#)
Originating Judge: Dee D. Drell, U.S. District Judge
Date Filed: 02/18/2012
Date NOA Filed:
10/08/2014

[General Docket, Case No. 14-31167, United States Court of Appeals for the Fifth Circuit, [10/09/14](#)]

- **The Case Did Not Proceed Beyond A Stay Issued By The Fifth Circuit Court In July 2017:**

07/24/2017 [96](#) STATUS REPORT. The new administration has been analyzing the legal and policy issues presented by the regulations at issue here and has now initiated the rulemaking process. That process is ongoing. Stay Follow-up deadline updated to 08/23/2017. [14-31167] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: STATUS REPORT from Appellants Mr. R. Alexander Acosta, Secretary, Department of Labor, Mr. Steven T. Mnuchin, Secretary, U.S. Department of Treasury, Mr. Thomas Price, Secretary, U.S. Department of Health and Human Services, HHS, LABR and TREA Date of Service: 07/24/2017 via email - Attorney for Appellants: Barbero, Jed, Klein, Salzman; Attorney for Appellees: Baylor, Johnson, Theriot [14-31167] (Joshua Marc Salzman) [Entered: 07/24/2017 03:23 PM]

[General Docket, Case No. 14-31167, United States Court of Appeals for the Fifth Circuit, [10/09/14](#)]

- **Speaker Mike Johnson's Full Name Is James Michael Johnson.** "The Republican-controlled House voted, 220-208, to make the 51-year-old Johnson—full name James Michael Johnson—the 56th speaker in history." [Biography, [10/26/23](#)]

Louisiana College Challenged The Affordable Care Act's (ACA's) Contraceptive Drug Mandate, Which Required Most Employer-Provided Private Health Insurance Plans To Cover Contraceptive Treatments, Claiming The Mandate Violated Religious Rights. "Louisiana College – a private, Baptist college – filed suit in federal court to challenge the Obama administration's abortion-pill mandate. The mandate forces employers, regardless of their religious or moral convictions, to provide insurance coverage for abortion-inducing drugs, sterilization, and contraception under threat of heavy penalties by the Internal Revenue Service and other federal agencies if the mandate's requirements aren't met." [Alliance Defending Freedom, accessed [10/30/23](#)]

- **Louisiana College Claimed That The 2010 Patient Protection And Affordable Care Act's (ACA's) Contraceptive Drug Mandate Violated The School's Religious Beliefs.** "LC is a Christian school that is subject to the 2010 Patient Protection and Affordable Care Act ('PPACA'). Final regulations applying PPACA mandate that LC provide health insurance for its employees that covers abortion-inducing drugs and counseling regarding such drugs ('Mandate'). This violates LC's sincerely held religious beliefs regarding abortion." [Complaint, Case No. 12-cv-463, United States District Court For The Western District Of Louisiana, [02/18/12](#)]
- **The ACA Required Most Private Health Insurance Plans To Cover Contraceptive Methods, Without Cost Sharing.** "In 2010, the Affordable Care Act (ACA) took state laws further by requiring most private plans (including self-funded, small and large group, and individual plans) to cover a wide range of recommended preventive services, without patient cost-sharing. [...] Under the ACA, most private health insurance plans must cover at least one form of each of the 18 FDA-approved contraceptive methods for women without cost sharing." [Kaiser Family Foundation, [10/27/23](#)]

August 2014: After The U.S. District Court Ruled In Favor Of Louisiana College, Senior Counsel Kevin Theriot Likened The Contraceptive Mandate To "Unjust Laws That Force People – Under Threat Of Punishment – To Give Up Their Freedom To Live And Work According To Their Beliefs." "The following quote may be attributed to Alliance Defending Freedom Senior Counsel Kevin Theriot regarding a federal court's decision Wednesday in Louisiana College v. Sebelius that the Obama administration's abortion-pill mandate against Louisiana College's employee health plan violates the school's religious freedom: 'All Americans should oppose unjust laws that force people – under threat of punishment – to give up their freedom to live and work according to their beliefs.'" [Alliance Defending Freedom, [08/14/14](#)]

- **August 13, 2014: The U.S. District Court for the Western District of Louisiana's Alexandria Division Ruled In Favor Of Louisiana College.** [Ruling, Case 1:12-cv-00463-DDD-JDK, [08/13/14](#)]

The American Civil Liberties Union (ACLU) Filed An Amicus Curiae Brief Against Louisiana College, Arguing That The ACA's Contraception Rule "Does Not Substantially Burden Plaintiff's Religious Exercise" And That Long-Standing Legal Precedent "Does Not Give Organizations Or Individuals Carte

Blanche To Interfere With The Rights Of Others” Or “To Impose Their Religious Beliefs On Others.”
“For this reason, amici routinely bring cases designed to protect the right to worship and express religious beliefs. The ACLU is also fiercely committed to fighting discrimination and inequality, including discrimination based on gender. [...] Plaintiff’s RFRA claim fails for several reasons. First, the final contraception rule does not substantially burden Plaintiff’s religious exercise. The rule requires only that Plaintiff send a two-page form to its health insurance issuer, stating that it has religious objections to covering contraceptives. [...] Second, courts have long recognized that the right to religious liberty, while fundamental, does not give organizations or individuals carte blanche to interfere with the rights of others, to violate compelling government policies, or to impose their religious beliefs on others.” [Amicus Brief of the American Civil Liberties Union, [11/05/13](#)]

2008: James Michael Johnson, While With Alliance Defense Fund, Represented Multiple Defendants In A Lawsuit From The Publisher Of A Cincinnati Newspaper Which Claimed Religious Leaders And Others Engaged In A “Conspiracy To Violate” Its First Amendment Rights By Publicly Pressuring It To End Adult-Oriented Advertisements.

James Michael Johnson, While With Alliance Defense Fund, Represented Rev. Jermaine Armour And Several Other Defendants In Lightborne Publishing, Inc. v. Citizens for Community Values et al:

Defendant

Rev. Jermaine Armour

represented by **James Michael Johnson**

Alliance Defense Fund

P.O. Box 52954

Shreveport, LA 71135

318/603-1435

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Email: mjohnson@telladf.org

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

[CIVIL DOCKET FOR CASE #: 1:08-cv-00464-SAS-TSB,
U.S. District Court for the Southern District of Ohio (Cincinnati), [07/08/08](#)]

Plaintiff Lightborne Publishing, Inc., Doing Business As City Beat, Claimed That The Defendants “Engaged In A Conspiracy To Violate “ Its First Amendment Rights And “Chill” Freedom Of The Press By ”Demanding In Writing That The Newspaper Refrain From Accepting And Publishing Advertisements For Adult Oriented Businesses.” “Comes now Plaintiff Lightborne Publishing, Inc. d/b/a City Beat (‘City Beat’), who for its complaint against Defendants states the following: [...] This is an action under the laws and Constitution of the United States, as well as the laws and Constitution of the State of Ohio, pursuant to 42 U.S.C. §§ 1983 and 1985, alleging that Defendants engaged in a conspiracy to violate Plaintiff Lightborne Publishing, Inc. d/b/a City Beat’s protected First Amendment rights and to chill City Beat’s free expression and freedom of the press in the future by, under color of state law, demanding in writing that the newspaper refrain from accepting and publishing advertisements for adult oriented businesses.” [Complaint, Case No. 1:08-cv-00464-SAS-TSB, U.S. District Court for the Southern District of Ohio (Cincinnati), [07/08/08](#)]

Lightborne Publishing Alleged That Citizens For Community Values Acted “In Concert With Governmental Officials, Religious Leaders, And Social Services Providers” And Was “The Architect Of A Conspiracy To Violate City Beat’s First Amendment Rights,” Including A 2008 Letter And Press Conference Demanding That City Beat Stop Publishing Adult Advertisements. “Acting in concert with governmental officials, religious leaders, and social services providers, the CCV is the architect of a conspiracy to violate City Beat’s First Amendment rights. That conspiracy resulted in a June 6, 2008 letter and press conference on the inside Cincinnati City Hall demanding that City Beat cease accepting and publishing adult

oriented advertisements.” [Complaint, Case No. 1:08-cv-00464-SAS-TSB, U.S. District Court for the Southern District of Ohio (Cincinnati), [07/08/08](#)]

2009: The City Of Cincinnati Settled With Lightborne Publishing Inc. “The city of Cincinnati has paid the owner of City Beat \$2,500 to settle a lawsuit filed by Lightborne Publishing Inc. last year after public and private officials held a news conference at City Hall to request the newspaper stop running adult services ads.” [Cincinnati Business Courier, [10/26/09](#)]

2008: Mike Johnson Defended A Town In Upstate New York, Which, The Supreme Court Ruled, Could Open Its Town Board Meetings With A Sectarian Christian Prayer.

James Michael Johnson Represented The Town Of Greece, New York, In Federal District Court In The Court Case Galloway v. Town Of Greece. [Justia, [8/5/10](#)]

- **Mike Johnson Served As Co-Counsel For The Defendants As Part Of His Work With The Alliance Defense Fund.**

For Defendants:	J. Michael Johnson Alliance Defense Fund P.O. Box 52952 Shreveport, Louisiana 71135
	Laurence D. Behr Barth, Sullivan & Behr 43 Court Street, Suite 600 Buffalo, New York 14202

[Civil Docket for Case #: 08-CV-6088 CJS(P), U.S. District Court for the Western District of New York, [8/510](#)]

- **The Case Originated In The Western District Of New York.**

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK	

SUSAN GALLOWAY and LINDA STEPHENS,	
Plaintiffs,	No. 08-CV-6088 CJS(P)
-vs-	DECISION AND ORDER
TOWN OF GREECE and JOHN AUBERGER, in his official capacity as Town of Greece Supervisor,	
Defendants.	

[Civil Docket for Case #: 08-CV-6088 CJS(P), U.S. District Court for the Western District of New York, [8/510](#)]

- **Speaker Mike Johnson’s Full Name Is James Michael Johnson.** “The Republican-controlled House voted, 220-208, to make the 51-year-old Johnson—full name James Michael Johnson—the 56th speaker in history.” [Biography, [10/26/23](#)]

In 2008, Two Residents Sued The Town Of Galloway, New York, For Allegedly Violating The Establishment Clause Of The U.S. Constitution By Opening Its Monthly Town Board Meetings With A Christian Prayer. “This morning, the Court will hear oral arguments in Greece v. Galloway. Stephens (who is

an atheist) and Galloway (who is Jewish) jointly sued their town in 2008. They claimed that the town of Greece violated the Constitution by opening its monthly Town Board meetings with a Christian prayer for nearly a decade. (In 2008, after Stephens and Galloway complained about the prayer practice, the town invited three non-Christians to deliver the prayer.) Specifically, Stephens and Galloway argued that the town's prayer practice violates the Establishment Clause of the First Amendment." [The Atlantic, [11/6/13](#)]

The Residents, Susan Galloway And Linda Stephens, Lost In District Court After A Federal Judge Determined That The Town Of Galloway Did Not Violate The Establishment Clause. "Considering all of these factors, and in light of the undisputed facts of this case, the Court finds as a matter of law that the Town did not violate the Establishment Clause... For the foregoing reasons, Defendants' motion for summary judgment [#33] is granted, Plaintiffs' motion for summary judgment [#32] is denied, and this action is dismissed." [Justia, [8/5/10](#)]

Susan Galloway And Linda Stephens Appealed Their Case To The United States Court Of Appeals For The Second District, Which Ultimately Reversed The District Court's Decision. "Susan Galloway and Linda Stephens appeal from a grant of summary judgment dismissing their challenge to the legislative prayer practice at Town Board meetings in the Town of Greece, New York. We hold that the district court erred in rejecting plaintiffs' argument that the town's prayer practice affiliated the town with a single creed, Christianity, in violation of the Establishment Clause. Accordingly, we REVERSE and REMAND for further proceedings consistent with this opinion." [Justia, [5/17/2012](#)]

- **Mike Johnson No Longer Represented The Town Of Greece At This Stage Of The Legal Proceedings.** [Justia, [5/17/2012](#)]

The Court Case Was Ultimately Appealed To The Supreme Court, Which In A 5-4 Decision Ruled That The Town Of Greece Did Not Violate The Establishment Clause. "In a major decision on the role of religion in government, the Supreme Court on Monday ruled that the Constitution allows town boards to start their sessions with sectarian prayers. The ruling, by a 5-to-4 vote, divided the court's more conservative members from its liberal ones, and their combative opinions reflected very different views of the role of faith in public life, in contemporary society and in the founding of the Republic. Justice Anthony M. Kennedy, writing for the majority, said that a town in upstate New York had not violated the Constitution by starting its public meetings with a prayer from a "chaplain of the month" who was almost always Christian and who sometimes used distinctly sectarian language. The prayers were ceremonial, Justice Kennedy wrote, and served to signal the solemnity of the occasion." [The New York Times, [5/5/14](#)]

- **In Her Dissenting Opinion, Justice Kagan Observed That The Town Of Greece's Prayers Were Generally Sectarian And Discriminated Against Members Of Other Faiths And Atheists.** "But still, the Town of Greece should lose this case. The practice at issue here differs from the one sustained in Marsh because Greece's town meetings involve participation by ordinary citizens, and the invocations given—directly to those citizens—were predominantly sectarian in content. Still more, Greece's Board did nothing to recognize religious diversity: In arranging for clergy members to open each meeting, the Town never sought (except briefly when this suit was filed) to involve, accommodate, or in any way reach out to adherents of non-Christian religions... In my view, that practice does not square with the First Amendment's promise that every citizen, irrespective of her religion, owns an equal share in her government." [Town of Greece v. Galloway, Dissent by Justice Elena Kagan, [5/5/14](#)]

2007: Mike Johnson Represented A Sidewalk Preacher Who Shouted Bible Verses At Patrons Of A Local Restaurant In Louisiana.

June 2007: A Born-Again Christian Named John Todd Netherland Who Regularly Stood Outside Public Establishments And Shouted Bible Verses At Strangers Sued The City Of Zachary After Local Police Threatened To Arrest Him For Disturbing The Police, Arguing That His "Preaching" Was Protected By The First Amendment. "John Todd Netherland owns a tree trimming service and resides in Baker, Louisiana.

He is a professing Christian, who found his faith while battling alcoholism and drug addiction. He desires to share his religious views with others, as part of his sincerely held religious beliefs. Mr. Netherland shares his faith with others by speaking in public areas, just as he did near Sidelines Grill ("Sidelines") in the City of Zachary on the evening of November 18, 2006. That night, Mr. Netherland preached near Sidelines; directing his message to the customers who chose to consume alcoholic beverages...To avoid arrest, Mr. Netherland yielded to Lt. Eubanks' demand. He ceased speaking and left the area because of Lt. Eubanks' threat of arrest and prosecution for the alleged violation of Zachary Code Ordinance § 58-93.2 ("Ordinance"). [Casetext, accessed [10/30/23](#)]

- **John Netherland Specifically Claimed That A Zachary Code Ordinance On “Disturbing The Peace” Was Unconstitutional.**

The Ordinance


44. The challenged ordinance is Zachary Code Ordinance § 58-93.2, entitled “Disturbing the Peace.” A copy of the Ordinance is attached to this Complaint as Exhibit 1. It reads as follows:

[Netherland v. City of Zachary et al., Complaint, [6/11/07](#)]

J. Michael Johnson Of The Alliance Defense Fund Served As John Netherland’s Lead Attorney.

Respectfully submitted,

KEVIN THERIOT*
KS Bar Roll No. 21565
JOEL OSTER*
KS Bar Roll No. 18547
Alliance Defense Fund
Kan. Regional Service Center
15192 Rosewood Dr.
Leawood, KS 66224
913-685-8000
913-685-8001 Facsimile


J. MICHAEL JOHNSON
LA Bar Roll No. 26059
Alliance Defense Fund
La. Regional Service Center
P.O. Box 52954
Shreveport, LA 71135
318-798-8211
318-798-8213 Facsimile

[Netherland v. City of Zachary et al., Complaint, [6/11/07](#)]

- **Speaker Mike Johnson’s Full Name Is James Michael Johnson.** “The Republican-controlled House voted, 220-208, to make the 51-year-old Johnson—full name James Michael Johnson—the 56th speaker in history.” [Biography, [10/26/23](#)]

May 2009: A Federal Judge On The United States District Court For The Middle District Of Louisiana Ruled That The City Ordinance Violated Mr. Netherland’s Constitutional Right Of Free Speech And Free Exercise Of Religion. “Accordingly, the Ordinance as applied to Mr. Netherland is unconstitutional, as it violates Mr. Netherland’s rights of free speech and free exercise of religion, and the facial challenge of the Ordinance need not be reached at this time. Thus, Plaintiff’s Motion (Doc. 43) is hereby GRANTED as it relates to Plaintiffs as-applied claims.” [Netherland v. City of Zachary et al., Ruling, [5/27/09](#)]

2006: Mike Johnson Represented Two Christian Parents Who Unsuccessfully Argued That A School District In Texas Violated Their Childrens' Right To Religious Speech In The Classroom.

James Michael Johnson Represented The Plaintiffs In Pounds v. Katy Independent School District As Counsel For The Alliance Defense Fund.

<p>J Michael Johnson Alliance Defense Fund PO Box 52954 Shreveport, LA 71135-2954 318-798-8211 318-798-8213 (fax) mjohanson@telladf.org <i>Assigned: 02/23/2006</i> <i>ATTORNEY TO BE NOTICED</i></p>	representing	<p>Blake Pounds <i>(Plaintiff)</i></p> <p>Dawn Pounds <i>(Plaintiff)</i></p>
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[Pacer.gov, accessed 10/31/23]

- **Blake Pounds And Dawn Pounds Are The Parents Of Haley And Kendall Pounds, Two Students Who Attended Schools In The Katy Independent School District.**

<p>3.3 Haley Pounds is a minor under the age of eighteen (18), the natural born daughter of her parents, Blake and Dawn Pounds, and is a fourth grade student at Pattison Elementary, a KISD school.</p> <p>3.4 Kendall Pounds is a minor under the age of eighteen (18), the natural born son of his parents, Blake and Dawn Pounds, and is a second grade student at Pattison Elementary, a KISD school.</p>
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[Pounds v. Katy Independent School District, Complaint, filed 2/16/06]

- **Katy Independent School District Is A School District In Katy, Texas.** [Katy Independent School District, accessed [10/31/23](#)]

The Pounds Alleged That Katy Independent School District Had Violated Their First Amendment Right To Religious Speech By Preventing Their Daughter From Expressing Her Christian Beliefs Following The 9/11 Terrorist Attacks.

6.28 In the days following the September 11, 2001, terrorist attacks, Haley Pounds' kindergarten class discussed the tragedy during instructional time.

6.29 Ms. Bateman, Haley's kindergarten teacher, engaged the children in a discussion about the event, and asked them for their thoughts on why it happened.

6.30 Haley responded to Ms. Bateman's question by expressing a religious viewpoint and referencing God.

6.31 In response, Ms. Bateman told Haley that she was not allowed to talk about God at school.

6.32 No other child was restricted in his or her views or comments.

6.33 Haley's Christian viewpoint was discriminated against by Ms. Bateman when she told Haley she could not speak about God at school.

6.34 The teacher's actions upset Haley and made her feel alienated.

6.35 Ms. Bateman's actions in silencing Haley's expression of her religious beliefs in response to a class discussion are consistent with the practices, customs and written policies of Pattison Elementary. [See, e.g., attached Exhibit K, Homeroom Mothers Booklet, which reads in part: "**Religious symbols: Not allowed. This is KISD POLICY**" (emphasis in original)].

[Pounds v. Katy Independent School District, Complaint, filed 2/16/06]

A Federal Judge In Texas Found That The School District's Policy On Limiting Some Speech Was Not "Facially Unconstitutional" And Granted The Defendants Partial Summary Judgment. "This court grants the defendants' motion for partial summary judgment and denies the plaintiffs' cross-motion for partial summary judgment, finding that the FNAA (Local) policy is not facially unconstitutional. The parties are to submit a proposed scheduling order to resolve the "as-applied" challenge to the FNAA (Local) policy no later than October 5, 2007." [Pounds v. Katy Independent School District, Memorandum and Order, [9/24/07](#)]

2006: Mike Johnson Represented Tangipahoa Parish School Board And Others In A Fifth Circuit Case Over A Lower Court's Ruling Against The School Board's Practice Of Opening Meetings With Prayers.

James Michael Johnson, While With Alliance Defense Fund, Represented Defendants-Appellants In Federal Fifth Circuit Case Doe v. Tangipahoa Parish School Board. "Louis C. LaCour, Jr., Albert Kirk Gasperecz (argued), Adams Reese, New Orleans, LA, Robert N. Markle, Adams, Reese, Baton Rouge, LA, James Allen Keith, Adams Reese, Jackson, MS, James Michael Johnson (argued), Ylliance Defense Funds, Shreveport, LA, Christopher M. Moody, Moody Moody, Hammond, LA, Kevin, Hayden Theriot, Alliance Defense Fund, Olathe, KS, for Defendants-Appellants." [Opinion, Case No. No. 05-30294, United States Court of Appeals, Fifth Circuit via Casetext, [12/15/06](#)]

- **Mike Johnson Gave Oral Argument For Tangipahoa School Board:**

05/22/2007 200 Oral argument heard En Banc. Case argued by James Michael Johnson for Appellant Tangipahoa Prsh Sch, Ronald Lawrence Wilson for Appellee John Doe Joshua Simon Force for Amicus Curiae Anti-Defamation Leag . [05-30294] (SME) [Entered: 05/22/2007 11:11 AM]

[General Docket, Case No. 05-30294, United States Court of Appeals for the Fifth Circuit, [03/22/05](#)]

The Tangipahoa Parish School Board And Others Challenged A Lower Court’s Permanent Injunction Against Opening Board Meetings With A Prayer. “This appeal presents an Establishment Clause issue of first impression in our circuit. The Tangipahoa Parish School Board, its Board members, and the Tangipahoa Parish School System's superintendent (collectively, the Board) challenge a permanent injunction against the Board's opening its meetings with prayer.” [Opinion, Case No. No. 05-30294, United States Court of Appeals, Fifth Circuit via Casetext, [12/15/06](#)]

2003: John Doe, A Resident Of Tangipahoa Parish Filed A Lawsuit Against The School Board Challenging “Several Prayer Events Permitted By The School System, Including The School Board’s Practice Of Opening Its Meetings With A Prayer.” “In October 2003, John Doe, a resident of Tangipahoa Parish, La., filed this action against the Tangipahoa Parish School Board, including on behalf of his two minor sons. Doe challenged several prayer events permitted by the school system, including the school board’s practice of opening its meetings with a prayer (prayer practice).” [Law.com, [01/01/07](#)]

The Fifth Circuit Affirmed The Injunction That Applied To Four Of The Prayers Challenged In The Lawsuit And Vacated The Remainder Of The Injunction. “As a result, the portion of the injunction relating to the four prayers in the parties' joint stipulations is AFFIRMED; the remainder of the injunction is VACATED. This matter is REMANDED to the district court for entry of an injunction consistent with this opinion. AFFIRMED in PART; VACATED in PART; and REMANDED.” [Opinion, Case No. No. 05-30294, United States Court of Appeals, Fifth Circuit via Casetext, [12/15/06](#)]

2005: Mike Johnson, While With Alliance Defense Fund, Represented The Children First Foundation In A Federal Lawsuit Against New York State Claiming That It Violated The Constitution By Rejecting A “Choose Life” License Plate Design.

James M. Johnson, While With Alliance Defense Fund, Represented The Children First Foundation In Children First Foundation, Inc. v. Martinez. “JAMES M. JOHNSON, ESQ., ALLIANCE DEFENSE FUND, Attorney for Children First Foundation, Inc., Shreveport, LA.” [Opinion, Civ. No. 1:04-CV-0927 (NPM/RFT), United States District Court, N.D. New York, [01/08/08](#)]

2005: Johnson Argued Before A U.S. District Court For The Case And Said, “New York’s Specialty License Plate Scheme Is Subject To Rampant Abuse.” ‘After nearly two hours of oral argument, a federal judge refused yesterday to dismiss a civil rights lawsuit brought against New York officials for excluding a pro-adoption group from its specialty license plate program. ‘New York’s specialty license plate scheme is subject to rampant abuse,’ said Alliance Defense Fund attorney Mike Johnson, who argued before the court on behalf of The Children First Foundation, the organization that brought the suit, The Children First Foundation, et al., v. Raymond P. Martinez, et al., in the U.S. District Court for the Northern District of New York on Aug. 4.” [Alliance Defending Freedom, [01/05/05](#)]

Johnson Argued That New York State Violated The Constitution When It Rejected ‘Choose Life’ Specialty License Plates As Part Of A State-Funded Program. “In another case in 2005, Johnson argued in federal court that New York had violated the Constitution when it rejected ‘Choose Life’ specialty license plates as part of a state-funded program.” [Yahoo! News, [10/26/23](#)]

Alliance Defending Freedom Won The Lawsuit In 2011. “Alliance Defending Freedom won that lawsuit in 2011 after seven years of litigation.” [Yahoo! News, [10/26/23](#)]

2011: Alliance Defending Freedom Issued A Press Release About The Decision Titled, “NY ‘Choose Life’ License Plates Vindicated.” “NY ‘Choose Life’ license plates vindicated.” [Alliance Defending Freedom, [11/09/11](#)]

2004: Mike Johnson, While With Alliance Defense Fund, Represented Judicial Candidate John B. Wells, Who Ran Campaign Brochures Touting His “Pro-Life” And “Pro-Marriage” Positions And Challenged The State’s Code Of Judicial Conduct, Which Prohibited Judicial Candidates From Making “Cases, Controversies, Or Issues That Are Likely To Come Before The Court.”

2004: J. Michael Johnson Represented Plaintiff John B. Wells In U.S. District Court Case Wells v. Hardin:

<u>Plaintiff</u> John B Wells	J. Michael Johnson Law Offices of Mike Johnson, LLC 2250 Hospital Drive Suite 248 Bossier City, LA 71111 318-658-9456 Fax: 318-658-9605 Email: mjohnsonlegal@gmail.com <i>ATTORNEY TO BE NOTICED</i>
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[CIVIL DOCKET FOR CASE #: 2:04-cv-02585-KDE-AC, U.S. District Court for the Eastern District of Louisiana (New Orleans), [09/17/04](#)]

- **Johnson Was Associated With The Alliance Defense Fund In The Lawsuit’s Complaint:**

J. Michael Johnson
Louisiana State Bar No. 26059
ALLIANCE DEFENSE FUND

[Complaint, Case No. 2:04-cv-02585-KDE-AC, U.S. District Court for the Eastern District of Louisiana (New Orleans), [09/17/04](#)]

Judicial Candidate John B. Wells Sued Louisiana Judicial Campaign Oversight Committee Chair Harry S. Hardin III On Free Expression Claims. “This is a civil rights action under 42 U.S.C. Section 1983 to protect the right of Plaintiff John B. Wells, an attorney running for judicial office, to freely speak and express his views on important legal and political issues of the day while he campaigns for a position as Judge of the City Court of Slidell.” [Complaint, Case No. 2:04-cv-02585-KDE-AC, U.S. District Court for the Eastern District of Louisiana (New Orleans), [09/17/04](#)]

- **Plaintiff John B. Wells Was A Candidate To Be Judge For The City Of Slidell, Louisiana In The 2004 General Election.** “Plaintiff John B. Wells (‘Wells’) is a Louisiana attorney who resides in Slidell, Louisiana. Plaintiff is a candidate for Judge of the City Court of Slidell, in the primary election scheduled for September 18, 2004.” [Complaint, Case No. 2:04-cv-02585-KDE-AC, U.S. District Court for the Eastern District of Louisiana (New Orleans), [09/17/04](#)]
- **The Defendant In The Case Was Louisiana Judicial Campaign Oversight Committee Chair Harry S. Hardin III.** “Defendant Harry S. Hardin, III, is Chair of the Louisiana Judicial Campaign Oversight Committee (‘Oversight Committee’) and is sued in his official and individual capacity.” [Complaint, Case No. 2:04-cv-02585-KDE-AC, U.S. District Court for the Eastern District of Louisiana (New Orleans), [09/17/04](#)]

Wells Challenged A Judicial Oversight Committee Decision Holding That His Campaign’s Brochure Touting “Pro-Life” And “Pro-Marriage” Positions Violated The States Code Of Judicial Conduct. “Among other provisions, the first paragraph of the Brochure states as follows: ‘Active in the World Wide Marriage Encounter, a ministry promoting traditional marriage, John Wells knows that strong marriages build

strong families. He is the only City Court Judge candidate to publicly declare his unwavering support for the Defense of Marriage amendment. And he's proud to do it. Pro-life and pro-marriage, his values are our values.' [...] On the afternoon of Friday, September 10, 2004, Plaintiff Wells received a telephone call from staff attorney Tracy Buccino of the Louisiana Judicial Campaign Oversight Committee informing Plaintiff Wells that a complaint had been filed against him complaining that the 'pro-life' and 'pro-marriage' statements set forth in the Brochure violated Code of Judicial Conduct Canon 7B(I)(d)(ii) (the 'Politically Motivated Complaint')." [Complaint, Case No. 2:04-cv-02585-KDE-AC, U.S. District Court for the Eastern District of Louisiana (New Orleans), [09/17/04](#)]

The Louisiana Code Of Judicial Conduct Prohibited Judicial Candidates From “Mak[Ing] Statements That Commit Or Appear To Conunit The Candidate With Respect To Cases, Controversies, Or Issues That Are Likely To Come Before The Court.” “This action challenges the validity, under the United States and Louisiana Constitutions, of Canon 7(B)(I)(d)(ii) of the Louisiana Code of Judicial Conduct (‘the Commit Clause’), which purports to prohibit a judicial candidate from ‘mak[ing] statements that commit or appear to conunit the candidate with respect to cases, controversies, or issues that are likely to come before the court.’ (A copy of the Commit Clause is attached to the complaint as Exhibit A.)” [Complaint, Case No. 2:04-cv-02585-KDE-AC, U.S. District Court for the Eastern District of Louisiana (New Orleans), [09/17/04](#)]

2003: Mike Johnson, While With The Alliance Defense Fund, Represented Anti-LGBTQ Focus On The Family In An Amicus Brief In Support Of Far-Right Judge Roy Moore And A Two-And A Half Ton Ten Commandments Monument In The Alabama State Judicial Building.

2003: J. Michael Johnson, Then With The Alliance Defense Fund, Was An Attorney For Concerned Women For America And Focus On The Family In Their Amicus Briefs In Support Of Defendant-Appellant Roy S. Moore In Glassroth v. Moore. “Johnson, J. Michael, Alliance Defense Fund, Attorney for Concerned Women for America and Focus on the Family, amici for defendant-appellant Roy S. Moore;” [DOCKET Nos. 02-16708-D, 02-16949-D, United States Court of Appeals for the Eleventh Circuit, [04/28/03](#)]

- **Roy Moore Was “A Former Republican Judge Known For His Hardline Stances Opposing Same-Sex Marriage And Supporting The Public Display Of Ten Commandments.”** “Moore, a former Republican judge known for his hardline stances opposing same-sex marriage and supporting the public display of Ten Commandments, lost the 2017 Senate race after his campaign was rocked by misconduct allegations against him.” [NPR, [08/13/22](#)]

July 2003: The Eleventh Circuit Court Of Appeals Upheld A Lower Court Ruling Holding That A “Two-And-A-Half Ton Monument To The Ten Commandments In The Rotunda Of The Alabama State Judicial Building Violated The Establishment Clause.” “In Glassroth v. Moore, the U.S. Court of Appeals for the Eleventh Circuit upheld a lower court’s finding that the placement of a two-and-a-half ton monument to the Ten Commandments in the rotunda of the Alabama State Judicial Building violated the Establishment Clause. The monument was located in the center of the rotunda, making it unavoidable for any visitor or employee attempting to access the elevators, stairs, or restrooms.” [Georgetown University, [07/01/03](#)]

Focus On The Family “A Lot Of Time, Energy And Money Advocating Against Equality For Lesbian, Gay, Bisexual And Transgender (LGBT) People And Their Families,” Even Suggesting That “Marriage Equality Will Bring The Destruction Of Civilization.” “Focus on the Family claims its mission is to help families thrive. Yet to anyone paying attention, it’s clear the organization is focused on one specific kind of family, and instead spends a lot of time, energy and money advocating against equality for lesbian, gay, bisexual and transgender (LGBT) people and their families. In fact, the organization suggests that marriage equality will bring the destruction of civilization, and it has referred to the children of same-sex couples as ‘human guinea pigs.’” [Human Rights Campaign, [11/13/14](#)]

