



**FOR IMMEDIATE RELEASE** – January 27, 2014

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## **Groups Challenge Corporate Claim to Religious Rights in Supreme Court Case**

Free Speech For People, a nonprofit legal advocacy and public education group, filed today an amicus brief before the US Supreme Court in the case of *Conestoga Wood Specialties v. Sebelius*, arguing that corporations are not people with religious rights under the US Constitution. Co-signers include Hollender Sustainable Brands, LLC and Auburn Theological Seminary. (Organizational descriptions below.)

"Four years ago, corporations did what the Framers of the Constitution never would have imagined possible. They seized, with the Supreme Court's ruling in *Citizens United v. FEC*, the right of free speech under the First Amendment to influence our elections," said **John Bonifaz, executive director of Free Speech For People**. "Now the question is whether corporations can go even farther and stake a claim to religious freedom as well."

"We all know that individuals, including business owners, enjoy the First Amendment right to the free exercise of religion," said **Jeffrey Hollender, the founder and CEO of Hollender Sustainable Brands, LLC**. "But as any business leader will tell you, corporations are not individuals – they are purely economic, state-created entities and they do not practice religion."

"Americans have struggled for many years to establish equality for all our people, from the abolition of slavery, to women's suffrage, to civil rights," said **The Rev. Dr. Katharine Rhodes Henderson, president of Auburn Theological Seminary**. "But extending fundamental constitutional rights to corporations takes us in the opposite direction. It empowers corporations at the expense of people, and it ultimately puts all our rights at risk."

“This case is about more than Obamacare,” said **Ron Fein, Free Speech For People’s legal director and the lead counsel on the amicus brief.** “The question before the Supreme Court is whether corporations can impose the religious beliefs of their investors and managers on workers and communities who don’t share those beliefs. Extending constitutional religious rights to corporations wouldn’t protect freedom—it would decrease freedom.”

Arising from a challenge to the Affordable Care Act by the kitchen cabinet manufacturer, the *Conestoga* case asks whether a corporation can disregard a legal requirement to provide its employees with health insurance coverage for contraception if the corporate shareholders have a religious objection. On March 25th, the Supreme Court is scheduled to hear argument in this case, along with a similar case, *Sebelius v. Hobby Lobby*.

### **PHONE BRIEFING FOR PRESS TUESDAY JANUARY 28th AT 12:00pm EST**

A phone briefing for reporters will be held to discuss the political implications of the *Conestoga* case. The topics will include money in politics, the 2014 elections, the future direction of the Supreme Court and the doctrine of corporate constitutional rights in America, and *McCutcheon v. FEC*, another pending case before the Court that could build on the infamous *Citizens United* ruling.

**WHAT:** Phone briefing discussing the *Conestoga* case and the amicus brief advocates have filed with the Supreme Court

**WHEN:** Tuesday, January 28th at 12:00pm EST

**WHO:** John Bonifaz and Ron Fein (See bios below)

**RSVP TO:** [press@freespeechforpeople.org](mailto:press@freespeechforpeople.org) Call-in information will be provided following receipt of rsvp.

### **SPEAKERS WILL INCLUDE:**

**John Bonifaz** is the Co-Founder and Executive Director of Free Speech For People. Mr. Bonifaz previously served as the Executive Director and then General Counsel of the National Voting Rights Institute, an organization he founded in 1994, and as the Legal Director of Voter Action, a national election integrity organization. Mr. Bonifaz has been at the forefront of key voting rights battles in the country for more than two decades, pioneering a series of court challenges that have helped to redefine the campaign finance question as a basic voting rights issue of our time and initiating a legal strategy for

revisiting *Buckley v. Valeo* in the courts. Mr. Bonifaz is a 1992 *cum laude* graduate of Harvard Law School and a 1999 recipient of a MacArthur Foundation Fellowship.

**Ron Fein** is the Legal Director for Free Speech For People. Mr. Fein previously served as Assistant Regional Counsel in the United States Environmental Protection Agency's New England office, where he received the EPA's National Gold Medal for Exceptional Service, the National Notable Achievement Award, and several other awards. Mr. Fein supervised the office's Clean Air Act practice and won several major cases, including a first-in-nation air quality permit for an offshore wind farm and a nationally-recognized settlement requiring a power plant to virtually eliminate its use of a local river. He previously clerked for the Honorable Kermit Lipez of the US Court of Appeals for the First Circuit and the Honorable Douglas Woodlock of the US District Court for the District of Massachusetts. Mr. Fein graduated Order of the Coif from Stanford Law School and *summa cum laude* from Harvard College.

### **ORGANIZATIONS SIGNING THE AMICUS BRIEF:**

**Free Speech For People** uses a unique combination of legal expertise and grassroots organizing to fight the misuse of corporate power, to advocate for a stronger democracy, and to overturn the egregious Supreme Court rulings in *Citizens United v. FEC* and *Buckley v. Valeo* and the doctrines underlying those rulings.

**Hollender Sustainable Brands, LLC (HSBLLC)** is the manufacturer of Sustain, the first sustainable, fair trade, Forest Stewardship Council certified condom in the United States. HSBLLC is a leader in the business community for its sustainability and corporate responsibility practices. Its founder, Jeffrey Hollender, is also an author, professor and lecturer on corporate responsibility. HSBLLC supports a vision for corporate social responsibility that involves going above and beyond the letter of the law when it comes to protecting employees and communities, rather than seeking exemptions from minimum legal requirements.

**Auburn Theological Seminary** is a "seminary of the future" committed to building the multifaith movement for justice. Founded in 1818, Auburn participated in the great social challenges of its early years, including the abolition of slavery and women's suffrage. Today, Auburn equips bold and resilient leaders of faith and moral courage with tools, education, research, media expertise and engagement strategies to bridge religious divides, build community, pursue justice and heal the world. Auburn also provides platforms for leaders and activists of social justice movements to convene and advance innovative, multidisciplinary solutions for collaborative change.