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## SIXTH CIRCUIT UPHOLDS WMU ATHLETES' RELIGIOUS RIGHTS

### *Plaintiffs can continue to participate in Intercollegiate Athletics without being mandated to take the Covid Vaccine*

**Cincinnati, Ohio** – Federal District Court Judge Paul L. Maloney's Preliminary Injunction allowing sixteen athletes at Western Michigan University (WMU) to continue playing intercollegiate sports despite refusing a Covid-19 vaccine shot mandated by WMU was upheld today in a unanimous, published decision by the Sixth Circuit Court of Appeals. Appellate Judges Ralph B. Guy, Jr., David W. McKeague, and Chad A. Readler, issued a published opinion that WMU violated the athletes' First Amendment rights by denying their requests for a religious exemption from the mandate. This decision is now binding precedent in Michigan, Ohio, Kentucky, and Tennessee.

The Great Lakes Justice Center (GLJC), on behalf of sixteen athletes, filed a federal civil rights lawsuit in Grand Rapids challenging WMU's unlawful denial of their request for religious accommodation from the college's vaccine mandate to participate in sports. The students represent numerous teams at WMU including the football, baseball, women's basketball, women's soccer, dance team, and cross-country programs. WMU recently instituted a requirement for all its athletes in all sports to take the Covid-19 vaccine or forfeit their right to play intercollegiate sports. No similar vaccine requirement exists for any other students at WMU. Other universities, including MSU and U of M, are granting religious accommodations to athletes.

In its opinion the court stated: "The University put plaintiffs to the choice: get vaccinated or stop fully participating in intercollegiate sports. . . . By conditioning the privilege of playing sports on plaintiffs' willingness to abandon their sincere religious beliefs, the University burdened their free exercise rights."

David A. Kallman, Senior Counsel with GLJC, stated, "We are thrilled for our clients that the Sixth Circuit vindicated their religious convictions and that they can continue to be part of their teams, be with their teammates, and compete for WMU at the highest level in a safe manner. We trust all parties can move forward in a spirit of cooperation to uphold the important Constitutional issues at stake, as well as taking appropriate measures to ensure the safety of everyone at WMU."

The Sixth Circuit Court of Appeals decision is posted at the Great Lakes website at [www.greatlakesjc.org/cases/dahl\\_v\\_wmu/](http://www.greatlakesjc.org/cases/dahl_v_wmu/).

*The Great Lakes Justice Center is a non-profit organization defending First Amendment liberties and other civil rights issues. The attorneys at the center have spent countless hours to protect its client's constitutional freedoms and are grateful to minister to such important causes. To support the Great Lakes Justice Center's important work to protect our nation's first freedoms, please visit them at [www.greatlakesjc.org](http://www.greatlakesjc.org).*

