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October 14, 2026

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This Letter Sent VIA Email Only

Mary Ann Cleary, Director
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Re: *Catholic Charities of Jackson, Lenawee and Hillsdale Counties, et al. v. Whitmer, et al.*
Western District of Michigan, Case No. 1:24-cv-00718-JMB-SJB
Sixth Circuit Court of Appeals, Case No. 25-1105

Dear Senators, Representatives, and Directors:

MCL 18.1396 directs that the Attorney General notify you in the event of a settlement or consent judgment in excess of $200,000. Accordingly, I am notifying you that, following adverse decisions from both the Sixth Circuit Court of Appeals

and the United States Supreme Court (in a case involving Colorado's virtually identical law), Plaintiffs were the "prevailing party" in this constitutional challenge, and therefore entitled to an award of reasonable attorneys' fees and costs. The parties voluntarily resolved this for a total of $750,000.00 in fees, costs, and expenses.

Plaintiffs were a group of Catholic charities and an individual professional counselor, who challenged the constitutionality of HB 4616, a 2024 law that prohibited licensed mental health professionals in Michigan from engaging in "conversion therapy" with minors. Plaintiffs raised free speech, free exercise of religion, and due process challenges against Michigan's law. After the Western District Court denied Plaintiffs' motion for a preliminary injunction, the Sixth Circuit Court of Appeals reversed and held that HB 4616 is "a content- and viewpoint-discriminatory restriction upon speech," and thus "subject to the strictest of scrutiny, under the First Amendment[.]" Shortly after the Sixth Circuit's decision, the U.S. Supreme Court, in *Chiles v. Salazar*, similarly held that Colorado's identical law "censors speech based on viewpoint."

Because Plaintiffs brought this lawsuit under 42 USC 1983 and were the "prevailing party" on the merits of their free speech challenge, they were entitled to seek reasonable attorneys' fees, costs, and expenses at the District Court. Negotiations on the fees resulted in the $750,000.00 settlement. This case was litigated for two years and Plaintiffs' attorneys were seeking premium hourly rates for over 1,500 hours billed. Had this matter proceeded to a fee motion in front of the District Court, an award of total attorney fees and costs for Plaintiffs' Washington, D.C.-based counsel considerably in excess of the settlement amount was possible.

Sincerely,

Ashley Steffen

Ashley Steffen
Director, Office of Legislative Affairs
Department of Attorney General

AS/sg