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APPENDIX

Breakdown by Employee’s Religion in Religious Accommodation Cases in which Summary Judgment Was Granted from 2000-Present

Cases in the list are drawn from a list of decisions in the Petition for Certiorari, *Patterson v. Walgreen Co.*, No. 18-349, Pet. App. 35a-67a, and have been supplemented with additional cases decided after that list was compiled and through February 8, 2023.¹ Unless otherwise indicated, percentages of the U.S. population for particular faiths are drawn from the figures at Pew Research Center, *America’s Changing Religious Landscape*, at 4 (May 12, 2015), http://www.pewforum.org/wp-content/uploads/sites/7/2015/05/RLS-08-26-full-report.pdf (hereinafter “America’s Changing Religious Landscape”). Pew has collected less detailed information on religion in later research, and more recent figures are included in the footnotes. Pew Research Center, *Detailed Tables*, at 1, https://www.pewresearch.org/religion/wp-content/uploads/sites/7/2019/10/Detailed-Tables-v1-FOR-WEB.pdf (last visited Feb. 17, 2023) (hereinafter “Detailed Tables”).

¹ Cases are organized by religious affiliation of the plaintiff employee, and within each religious group ordered by circuit number (including district court decisions within each circuit).
General Christian: 37 of 132 (28.0 percent of cases versus approximately 65 percent of population)\textsuperscript{2}


\textsuperscript{2} The 2015 Pew study, *America’s Changing Religious Landscape*, lists Christians as 70.6 percent of the population. In this Appendix, we separate out Pentecostal Christians (4.6 percent) and Jehovah’s Witnesses (0.8 percent). Subtracting those groups leaves our category of “general” Christians as approximately 65 percent of the population. The updated *Detailed Tables* lists all Christians as 65 percent of the population in 2019, but it does not separate out Pentecostal Christians and Jehovah’s Witnesses.
16. *George v. Home Depot Inc.*, 51 F. App’x 482 (5th Cir. 2002)
17. *Daniels v. City of Arlington, Tex.*, 246 F.3d 500 (5th Cir. 2001)
18. *Davis v. Fort Bend Cty.*, 765 F.3d 480 (5th Cir. 2014)


27. Adams v. Retail Ventures, Inc., 325 F. App’x 440 (7th Cir. 2009)


30. Seaworth v. Pearson, 203 F.3d 1056 (8th Cir. 2000)


33. Peterson v. Hewlett-Packard Co., 358 F.3d 599 (9th Cir. 2004)

34. Berry v. Dep’t of Soc. Servs., 447 F.3d 642 (9th Cir. 2006)


37. Dixon v. The Hallmark Companies, Inc., 627 F.3d 849 (11th Cir. 2010)

Seventh-day Adventist: 28/132 (21.2 percent of cases versus 0.5 percent of population)\(^3\)


6. Antoine v. First Student, Inc., 713 F.3d 824 (5th Cir. 2013)


\(^3\) America’s Changing Religious Landscape, supra, Appendix B (Classification of Protestant Denominations), at 102. The 2019 Detailed Tables, supra, do not provide updated information on Seventh-day Adventists.

9. Crider v. Univ. of Tennessee, Knoxville, 492 F. App’x 609 (6th Cir. 2012)


13. Rose v. Potter, 90 F. App’x 951 (7th Cir. 2004)


16. Harrell v. Donahue, 638 F.3d 975 (8th Cir. 2011)


19. Tabura v. Kellogg USA, 880 F.3d 544 (10th Cir. 2018)


Muslim: 23/132 (17.4 percent of cases versus 0.9 percent of population)\(^4\)


\(^4\) The *Detailed Tables, supra*, state that Muslims made up 1 percent of the U.S. population in 2019.


**Other (or Unspecified) Saturday-Sabbatarian Sects: 7/132 (5.3 percent of cases)**


2. *Stolley v. Lockheed Martin Aeronautics Co.*, 228 F. App’x 379 (5th Cir. 2007)


**Jehovah’s Witness: 7/132 (5.3 percent versus 0.8 percent of population)**


5. *Small v. Memphis Light, Gas and Water*, 952 F.3d 821 (6th Cir. 2020)


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5 The 2019 *Detailed Tables, supra*, do not provide updated figures for this category.
Idiosyncratic Religions: 4/132 (3.0 percent of cases)

2. Lorenz v. Wal-Mart Stores, 225 F. App’x 302 (5th Cir. 2007)
3. Lizalek v. Invivo Corp., 314 F. App’x 881 (7th Cir. 2009)

Pentecostal Christian: 4/132 (3.0 percent of cases versus 4.6 percent of population)


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America’s Changing Religious Landscape, Appendix B, at 101. The 2019 Detailed Tables, supra, do not provide updated figures for this category.
Jewish: 9/132 (6.8 percent of cases versus 1.9 percent of population)\textsuperscript{7}


Hebrew Israelite: 5/132 (3.8 percent of cases)


\textsuperscript{7} The 2019 Detailed Tables, supra, list members of the Jewish faith as 2 percent of the U.S. population.


**Rastafarian: 2/132 (1.5 percent versus <0.3 percent of population)**


**Sikh: 2/132 (1.5 percent of cases versus < 0.3 percent of population)**

   1. *Tagore v. United States*, 735 F.3d 324 (5th Cir. 2013)

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8 According to Pew’s study, “0.3% of American adults identify with a wide variety of other world religions, including Sikhs, Baha’is, Taoists, Jains, Rastafarians, Zoroastrians, Confucians and Druze.” *America’s Changing Religious Landscape* at 29. Thus, Rastafarians and Sikhs each constitute far less than 0.3 percent apiece. The 2019 *Detailed Tables* do not provide a figure on the percentage of U.S. adults who are in this category.

**African Religions: 2/132 (1.5 percent of cases)**

1.  *Adeyeye v. Heartland Sweeteners, LLC*, 721 F.3d 444 (7th Cir. 2013)


**Non-religious: 2/132 (1.5 percent of cases)**


2.  *Nobach v. Woodland Vill. Nursing Ctr., Inc.*, 799 F.3d 374 (5th Cir. 2015)