

11.16.2018

Prior members of a Coptic Orthodox Church filed suit in the Circuit Court for Howard County seeking to prevent the sale and purchase of real estate and recoup significant monetary donations that they had made to the Church for construction of a new building. Plaintiffs asserted claims for conversion, fraud, accounting, declaratory relief, attachment before judgment, and injunctive relief.

A team of Gallagher lawyers filed a motion to dismiss or, in the alternative, for summary judgment as to all of Plaintiffs' claims, relying primarily on the First Amendment's prohibition against courts becoming entangled in religious doctrine and authority, and the inapplicability of the "neutral principles of law" doctrine to the dispute.

Following briefing and oral argument, the Court agreed with Gallagher's arguments and granted summary judgment in favor of the Church on November 16, 2018. The Court found that it could not apply "neutral principles of law" because the crux of the matter involved a determination into whether the Church was justified in buying and selling property and what it considered to be in the best interests of the Church. As the Court held, "[a]djudicating any of Plaintiffs' claims would require this Court to second guess the explicit by-laws of the Coptic Orthodox Church, which would be impermissible."