

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO

Joseph R. Maas, et al. v. JTM Provisions Company, Inc., et al.

Maas · No. 1:23-cv-76 · Decided January 21, 2026

SUMMARY

The United States District Court for the Southern District of Ohio grants Plaintiff Joseph R. Maas's motion for reconsideration and supplements its prior opinion regarding available relief on his mixed-motive Title VII religious discrimination claim. The Court clarifies that if the employer proves it would have taken the same action absent discrimination, the plaintiff is limited to declaratory and limited injunctive relief and attorney fees and costs; otherwise, damages may be available.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION JOSEPH R. MAAS, et al.,: Plaintiffs,; Case No. 1:23-cv-76 v.: Judge
Jeffery P. Hopkins JTM PROVISIONS COMPANY, INC., et al., Defendants. ORDER This matter
is presently before the Court on the Motion for Reconsideration (Doc. 129) (the "Motion") filed
by Plaintiff Joseph R. Maas ("Plaintiff" or "Joe").

Based on Joe's Motion, the Court issues this Order as a supplement to its prior Opinion and Order
(Doc. 126) to clarify the scope of relief to which Joe may be entitled should he ultimately prevail
at trial on his mixed-motive Title VII religious discrimination claim.

As to the issue of relief, this Court explained in its Opinion and Order (Doc. 126) that an
employee is "entitled only to declaratory relief, limited injunctive relief, and attorney fees and
costs where the employer demonstrates that it would have taken the same employment action in
the absence of an impermissible motivating factor." *Spees v. James Marine, Inc.*, 617 F.3d 380,
390 (6th Cir.

2010). In other words, if, at trial, JTM "proves by a preponderance of the evidence that it would
have taken the same action regardless of discrimination, then the plaintiff is entitled only to
declaratory relief, limited injunctive relief, and attorneys' fees — but not to compensatory
damages, reinstatement, or back pay." *Nuskey v. Hochberg*, 730 F. Supp. 2d 1, 3 n.1 (D.D.C.

2010). See also 42 U.S.C. § 2000e-5(g)(2)(B). Conversely, Joe is entitled to damages if JTM does
not prove, by a preponderance of the evidence, that JTM would have treated him similarly even if
Joe's religious non-conformity had played no role in the decision to discharge him. *Desert Palace*,

Inc. v. Costa, 539 U.S. 90, 96-97 (2003); Wright v. Murray Guard, Inc., 455 F.3d 702, 711-12 (6th Cir.

2006) (quoting 42 U.S.C. § 2000e- 5(g)(2)(B)) (“Tf the plaintiff makes [the necessary] showing, [he] is entitled to relief. However, the 1991 Act also provides that the employer’s liability will be limited to injunctive and declaratory relief and attorney fees and costs if the employer can establish that it ‘would have taken the same action in the absence of the impermissible motivating factor.’”).

Accordingly, to the extent that this Court’s Opinion and Order (Doc. 126) suggested otherwise, Plaintiffs Motion for Reconsideration (Doc. 129) is GRANTED. IT IS SO ORDERED. January 21, 2026 LO Lol effehy (P. Wopkins United States District Judge