

Planet Fitness Michigan Facility Loses 'Transgender' Locker Room Case

A Michigan appeals court has ruled in favor of a former Planet Fitness customer who argued that her rights under Michigan's consumer protection law were violated when the club did not disclose its unwritten policy and canceled her membership because she complained about a man in the women's locker room.

Yvette Cormier's lawsuit against Planet Fitness was filed in Midland County in 2015 after her membership was canceled because she warned fellow gym members over several days about seeing a biological man, who claims to be "transgender," in the women's locker room. Planet Fitness told her that it allows people to use the locker room that matches their "identity." Midland County Circuit Court Judge Michael J. Beale dismissed the lawsuit in 2016. Cormier then appealed the decision to the Michigan Court of Appeals. The appeals court affirmed Beale's ruling in June of 2016, but Cormier then took her case to the Michigan Supreme Court, which reversed and sided with Cormier.

The court's opinion said, "The plaintiff was already a member of the gym when she learned of the unwritten policy and was thus subject to a financial penalty if she canceled her membership earlier than provided in the membership agreement. Plaintiff's actions indicate that she strongly preferred a locker room and a restroom in which individuals who are assigned biologically male are not present, and it is thus reasonable to infer that defendants' failure to inform plaintiff of the unwritten policy affected her decision to join the gym."

Cormier alleged that Planet Fitness misrepresented the nature

of its contract when it said that she would have access to a private women's locker room while failing to disclose that includes "men who self-identity as women." This unwritten policy would have affected her decision to purchase a membership, and Planet Fitness appears to have engaged in deceptive business practices.

Liberty Counsel represents "Mrs. H," whose membership was canceled at Planet Fitness in Leesburg, Florida, because she objected to a man in the women's locker room. On May 29, 2018, staff at the Leesburg location revoked "Mrs. H's" membership after she was intimidated by and complained about the behavior of Jordan Rich in the women's locker room. Rich claims to be "transgender," but is obviously a man, and his behavior threatened Mrs. H, including chasing after her in the parking lot. Liberty Counsel has demanded that Planet Fitness Leesburg immediately reinstate her membership and make changes to its locker room policies to prevent blatant sex-based harassment by males in the women's facilities.

"We commend the Michigan Supreme Court in this decision against Planet Fitness which is endangering women by allowing men in the women's facilities and punishing those who object," said Mat Staver, Founder and Chairman of Liberty Counsel. "This is a safety issue for women who understandably do not want to share a locker room with men. This is also discrimination based on sex and violation of state law. Planet Fitness cannot have secret policies and expect to get away with it." {eo}

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