

# Legal Battle: Robert Morris Now Pushing to Dismiss Lawsuit

## Allegations Against Gateway Church

A class action lawsuit against Gateway Church in Southlake, Texas, filed in October 2024 by four church members—Katherine Leach, Garry K. Leach, Mark Browder and Terri Browder—alleges that the megachurch misallocated tithes and failed to honor a “money-back guarantee” on donations.

As reported by The Christian Post, the plaintiffs claim that Gateway Church leaders, including its founder Robert Morris, were not forthcoming about financial allocations, particularly regarding the Global Ministries fund, to which they had promised to allocate 15% of tithes collected.

The lawsuit also asserts that Morris and other leaders made repeated public assurances that church members could receive a refund on their tithes if they were dissatisfied with the results of their giving. However, according to the plaintiffs, the church has not followed through on that promise.

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## Legal Defense and Motion to Dismiss

In response, Morris, alongside other church leaders and the legal advocacy group First Liberty Institute, has moved to dismiss the lawsuit. The legal team representing Morris argued in a Feb. 18 filing that the court lacks jurisdiction over the case, citing the “home state exception” under the Class Action

Fairness Act, which allows a federal court to decline jurisdiction if most plaintiffs are from the same state where the lawsuit was filed. They further invoked the ecclesiastical abstention doctrine, which limits judicial involvement in church governance and religious matters.

Morris' attorneys also contend that the lawsuit fails to meet legal standards under Rule 9(b) and Rule 12(b)(6) of the Federal Rules of Civil Procedure. They argue that the plaintiffs have not presented a viable claim, alleging that no enforceable contract existed between the church members and church leadership. Furthermore, they state that claims of conspiracy to breach a contract are not valid under Texas law and that some of the allegations fall outside the statute of limitations.

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## **Morris' History and Tithing Statements**

The case has drawn significant attention, partly due to Morris' history. The former church leader resigned in June 2024 following allegations of abuse in the 1980s. Despite his departure, his past statements on tithing remain central to the lawsuit.

During a sermon at Willow Creek Community Church, Morris promoted the "Principle of First," encouraging congregants to give 10% of their income to God and promising that if they were "not fully satisfied, at the end of that year, I'll give you your money back." He further stated, "With 22 years in the church, no one's ever asked for their money back."

However, the plaintiffs dispute this claim.

According to their lawsuit, many members have requested refunds, only to be ignored. "Many people have requested a

refund of their tithes only to be stonewalled and ignored by the defendants,” they allege. One plaintiff, Katherine Leach, reportedly delivered a demand letter to Gateway Church requesting her tithes back, but she received no response. The lawsuit asserts that Morris and former executive pastor Tom Lane knowingly made false representations to induce church members to donate, thereby creating a contractual obligation that was not honored.

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## **Legal and Religious Implications**

Attorneys for the plaintiffs have been granted an extension until Mar, 25, to respond to Morris’ motion to dismiss. Meanwhile, Gateway Church leaders maintain that the case should not proceed. First Liberty Institute, which provides legal support for religious organizations, filed an amicus curiae brief supporting the motion to dismiss, warning that the lawsuit could set a precedent that undermines religious freedom.

“If courts are free to parse sermons to determine whether the pastor may have used language creating an implied contract, pastors will be unable to share their religious convictions freely without risking legal reprisal,” the brief stated. “Such an outcome would chill core religious exercise.”

Attorneys for the church members argue that the First Amendment’s ecclesiastical abstention doctrine does not apply in this case, as the claims are not about theology or church governance but rather “misrepresentations by the church and its elders in their solicitation of tithing funds.” They further assert that church leaders should not be shielded from fraud claims simply because of their religious roles.

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