

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 18-3086

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Kathleen Uradnik

Plaintiff - Appellant

v.

Inter Faculty Organization; St. Cloud State University; Board of Trustees of the Minnesota State  
Colleges and Universities

Defendants - Appellees

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Appeal from U.S. District Court for the District of Minnesota  
(0:18-cv-01895-PAM)

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**JUDGMENT**

Before LOKEN, SHEPHERD and KELLY, Circuit Judges.

Kathleen Uradnik appeals the denial of her motion for preliminary injunction. Uradnik challenges the constitutionality of an exclusive collective bargaining representative in the public sector, asserting that “the University and State of Minnesota [should] not appoint the Union to speak for her and not force her into an expressive association with it.”

We review the district court’s denial of a preliminary injunction for an abuse of discretion. S.J.W. ex rel. Wilson v. Lee’s Summit R-7 Sch. Dist., 696 F.3d 771, 776 (8th Cir. 2012). “Whether a preliminary injunction should issue involves consideration of (1) the threat of irreparable harm to the movant; (2) the state of balance between this harm and the injury that granting the injunction will inflict on other parties litigant; (3) the probability that movant will succeed on the merits; and (4) the public interest.” Id. (quoting Dataphase Sys., Inc. v. C L Sys., Inc., 640 F.2d 109, 113 (8th Cir. 1981)). The

most significant of these factors in this case is the likelihood of success on the merits, and on this factor we agree with the district court that Uradnik cannot show a likelihood of success on the merits of her compelled speech argument. See Janus v. Am Fed. of State, Cty., & Munic. Employees, 138 S. Ct. 2448, 2478 (2018); Harris v. Quinn, 134 S. Ct. 2618, 2640 (2014);. The district court's order denying the motion for a preliminary injunction is affirmed.

December 03, 2018

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans