

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

The New York State Nurses Association v. The Brooklyn Hospital Center

No. 26-CV-745(EK)(PCG), United States District Court for the Eastern District of New York (February 14, 2026)

SUMMARY

The United States District Court for the Eastern District of New York denied the New York State Nurses Association’s renewed motion for a temporary restraining order seeking immediate payment of allegedly overdue benefit-fund contributions by The Brooklyn Hospital Center. The court concluded that the plaintiff had not shown a sufficient likelihood that a reverse Boys Markets injunction was necessary to preserve the integrity of pending arbitration. The court ordered the plaintiff to show cause why the case should not be dismissed for lack of subject-matter jurisdiction and directed further briefing on jurisdiction and the requested relief.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Eric Komitee
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	February 14, 2026
DOCKET	26-CV-745(EK)(PCG)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff renewed its motion for a temporary restraining order and preliminary injunction seeking immediate payment of allegedly overdue contractual benefit-fund contributions while a related arbitration was pending.
STANDARD OF REVIEW	Before granting preliminary injunctive relief, the court must assure itself that it likely has subject matter jurisdiction. A reverse Boys Markets injunction is available only when necessary to prevent arbitration from being rendered a meaningless ritual, and the threatened injury must threaten the integrity of the arbitration process itself.

PRECEDENTIAL VALUE	unpublished district court memorandum and order
PARTIES	The New York State Nurses Association v. The Brooklyn Hospital Center

TOPICS

subject matter jurisdiction injunctions arbitration labor law civil procedure

PRACTICE AREAS

labor law civil procedure contracts arbitration

QUESTIONS PRESENTED

1. Whether the court could grant a temporary restraining order or preliminary injunction without a sufficient showing that it likely possessed subject matter jurisdiction.
2. Whether NYSNA established the requirements for a reverse Boys Markets injunction, including that injunctive relief was necessary to prevent the pending arbitration from becoming a meaningless ritual.
3. Whether the case should be dismissed for lack of subject matter jurisdiction.

HOLDINGS

1. A federal court must assure itself that it has, or likely has, subject matter jurisdiction before granting preliminary injunctive relief; where the plaintiff has not made that showing, preliminary relief must be denied.
2. A reverse Boys Markets injunction may issue only when necessary to prevent arbitration from being rendered a meaningless ritual, meaning that the threatened irreparable injury must threaten the integrity of the arbitration process itself; NYSNA did not make that showing on the existing record.

KEY QUOTATIONS

“The primary reason for the denial is that the plaintiff has not established a sufficient likelihood of this Court’s jurisdiction to award the relief sought.”

“The Norris-LaGuardia Act, 29 U.S.C. §§ 101-15, “deprives federal courts of the jurisdiction to grant injunctive relief in labor disputes, except in limited circumstances.””

“Such relief is permissible, however, only when “necessary to prevent arbitration from being rendered a meaningless ritual.”” (935 F.2d at 1377-78)

““[F]or an injunction to issue at the union’s behest, the irremediable injury in question must be such as to threaten the integrity of the arbitration process itself.”” (935 F.2d at 1378)

FACTUAL BACKGROUND

NYSNA alleged that The Brooklyn Hospital Center failed to make contractually required contributions to a benefit fund for union members. The same dispute was pending in arbitration under the parties' collective bargaining agreement. NYSNA sought immediate payment of the overdue contributions, asserting that union members might incur medical expenses while uninsured. The record did not show that denial of interim relief would create a *fait accompli* or otherwise threaten the integrity of the arbitration.

PROCEDURAL HISTORY

NYSNA filed suit alleging that the hospital failed to make contractually required contributions to a benefit fund. NYSNA also initiated arbitration under the parties' collective bargaining agreement. The court previously denied an *ex parte* temporary restraining order for failure to comply with Federal Rule of Civil Procedure 65; after plaintiff provided notice, it renewed its request for a TRO and preliminary injunction. The court denied the renewed TRO and ordered plaintiff to show cause why the case should not be dismissed for lack of subject matter jurisdiction, while deferring decision on the preliminary-injunction request pending further briefing.

DISPOSITION

other

CASES CITED

- Truck Drivers Loc. Union No. 807 v. Bohack Corp., 541 F.2d 312, 318 (2d Cir. 1976)
- New York v. Nat'l Sci. Found., 793 F. Supp. 3d 562, 577 (S.D.N.Y. 2025)
- Niagara Hooker Emps. Union v. Occidental Chem. Corp., 935 F.2d 1370, 1375, 1377-78 (2d Cir. 1991)
- Boys Markets, Inc. v. Retail Clerks Union, Local 770, 398 U.S. 235 (1970)
- Aeronautical Indus. Dist. Lodge 91 of Int'l Ass'n of Machinists & Aerospace Workers v. United Techs. Corp., 230 F.3d 569, 581 (2d Cir. 2000)
- Loc. 217 Hotel & Rest. Emps. Union v. MHM, Inc., 805 F. Supp. 93, 108-10 (D. Conn. 1991), *aff'd*, 976 F.2d 805 (2d Cir. 1992)

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