



**BACKGROUND**  
**(March 08, 2021)**

*Wong v. Transport Workers Union, Local 100, et al.*

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**THE EXECUTIVE SUMMARY**

The Fairness Center represents Wayne Wong, a Metropolitan Transportation Authority–New York City Transit employee who resigned from his union, Transport Workers Union, Local 100, in June 2020. However, his resignation has been ignored while his employer continues deducting union dues from his paycheck. A train operator, Mr. Wong decided that he no longer wanted to be a union member, but union officials gave multiple, changing demands for what Mr. Wong had to do to resign his membership, including hand-delivering a resignation letter to the union office in New York City during the coronavirus pandemic. Despite Mr. Wong’s attempts to comply with union officials’ demands, neither the union nor his employer have ever recognized him as a nonmember of the union. Mr. Wong brings this lawsuit to vindicate his constitutional rights not to be forced to be associated with or to financially support a union.

**THE CASE LOGISTICS**

**Plaintiff**

Wayne Wong

**Defendants**

Transport Workers Union, Local 100, AFL-CIO  
Tony Utano, in his official capacity as the President of TWU, Local 100  
Metropolitan Transportation Authority  
Metropolitan Transportation Authority–New York City Transit  
Robert E. Foran, in his official capacity as the Chief Financial Officer of the MTA

**Court**

Federal District Court in the Eastern District of New York

**Judge**

Judge William F. Kuntz, II

**Date Filed**

March 8, 2021

## **THE LEGAL TEAM**

**Nathan J. McGrath** is President & General Counsel at the Fairness Center. Nathan oversees the firm's general operations and litigation to advance the Fairness Center's clients' best interests. Before joining the Fairness Center, Nathan was a staff attorney with a national nonprofit legal services organization, where he developed a national practice focused on constitutional, labor, and administrative law. Nathan began his legal career as an associate attorney with a general practice firm in Pittsburgh, Pennsylvania.

**Danielle Acker Susanj** is Senior Litigation Counsel at the Fairness Center, representing clients in state and federal courts and before administrative boards. Prior to joining the Fairness Center, she clerked for a federal appellate judge and practiced law as a litigation associate at a large international firm in Washington, D.C., and as a federal litigator in central Pennsylvania.

**Tyler K. Patterson** serves as Litigation Counsel at the Fairness Center. His work focuses on representing clients in state and federal courts as well as before state administrative boards. Prior to joining the Fairness Center, Tyler served as counsel with the Government Justice Center where he represented clients in constitutional challenges to improper government action as well as Freedom of Information Law lawsuits, and as an associate attorney at an employment law firm.