



complaint, a copy of which was attached to the present motion. Trail argues that the proposed amended complaint addresses the deficiencies of her prior factual allegations.

I disagree. The proposed amended complaint does not cure the fundamental defects of Trail's original claim. While it does detail a series of events that allegedly occurred after Trail reported the misconduct by two union officials, her "report" is still not "free speech" within the meaning of the LMRDA. As discussed in my prior ruling, the speech protected under the LMRDA "is limited to speech that relates to the general interests of the union membership at large," not speech that is of an entirely personal interest. *Hylla v. Transp. Commc'ns Int'l Union*, 536 F.3d 911, 917 (8th Cir. 2008). While Trail did, in some respects, criticize union leadership, her complaint is not the type of "view[], argument[], or opinion[]" in need of protection in order to promote union democracy. *See* 29 U.S.C.A. § 411(a)(2) (West 1998 & Supp. 2011). Thus, I find Trail's request for leave to amend to be futile because the proposed amended complaint fails to state a plausible claim against the defendants. *See Johnson v. Oroweat Foods Co.*, 785 F.2d 503, 509 (4th Cir. 1986). Since the leave to amend would be denied, there is no cause shown to alter or amend the judgment.

Accordingly, it is **ORDERED** that the plaintiff's Motion to Amend and Alter the Court's March 27, 2012 Opinion and Order (ECF No. 15) is DENIED.

ENTER: May 10, 2012

/s/ James P. Jones  
United States District Judge