

would not succeed on the merits, most notably on standing grounds, and Save Jobs has responded with non-frivolous arguments why its claims might prevail. At this early stage, the court is not convinced either party's arguments significantly outweigh the other such that it would have made a critical difference in the preliminary injunction analysis. As to the balance of equities, both sides present compelling arguments. Save Jobs has an obvious interest in protecting its members from additional competition in an already crowded job market, particularly given the circumstances of their terminations from SCE. However, DHS has a strong interest in moving ahead with a program years in the making, and the court is cognizant of the difficulties DHS would face if the program were delayed at this late date. Lastly, the public interest factor does not favor either party. Whether American workers and the U.S. economy are better served with more or fewer foreign workers is a policy question the court need not answer. In sum, not only has Save Jobs not shown irreparable harm, but none of the remaining factors swing particularly in its favor.

IV. CONCLUSION

For the foregoing reasons, Save Jobs' Motion for a Preliminary Injunction is denied.⁴ An appropriate Order accompanies this Memorandum Opinion.

Date: May 24, 2015

Tanya S. Chutkan

TANYA S. CHUTKAN
United States District Judge

⁴ The court notes that the foregoing analysis is not necessarily dispositive with respect to issues that may arise later in the case—particularly the certainty or imminence of Save Jobs' injury-in-fact. See *Belbacha v. Bush*, 520 F.3d 452, 458 (D.C. Cir. 2008).