

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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|---------------------|---|--------------------------|
| PATRICIA GUERIN, | : | |
| | : | NO. 1:11-CV-00641 |
| Plaintiff, | : | |
| | : | |
| | : | |
| v. | : | OPINION AND ORDER |
| | : | |
| | : | |
| THE HIGBEE COMPANY, | : | |
| | : | |
| Defendant. | : | |

This matter is before the Court on Defendant’s Motion to Stay Litigation and Compel Arbitration (doc. 2). Plaintiff has filed no objection, and has indicated to the Court that she will consent to an Order staying this litigation and compelling arbitration.

It is well settled under federal law that the Court should enforce private agreements to arbitrate, and that any ambiguities or doubts should be resolved in favor of arbitration. Glazer v. Lehman Bros., 394 F.3d 444, 451 (6th Cir. 2005), Shearson/American Express, Inc. v. McMahon, 482 U.S. 220, 226 (1987), the Federal Arbitration Act, 9 U.S.C. § 2. When confronted with a motion to stay litigation and compel arbitration, under Glazer, the Court must consider 1) whether the parties agreed to arbitrate, 2) the scope of the agreement, 3) if federal statutory claims are asserted, 4) whether Congress intended those claims to be nonarbitrable, and 5) if the Court concludes that some, but not

all of the claims in the action are subject to arbitration, it must determine whether to stay the remainder of the proceedings pending arbitration. 394 F.3d at 451.

Having reviewed this matter, the Court finds no dispute that both parties signed the agreement to abide by the terms of Defendant's arbitration program, and similarly finds the scope of the agreement to easily cover all of Plaintiff's claims. The agreement could be no clearer in its application to any employment dispute regarding discrimination on the basis of age. Plaintiff's two claims relate to such alleged discrimination.

Accordingly, and noting no objection on the part of Plaintiff, the Court GRANTS Defendant's Motion to Stay Litigation and Compel Arbitration (doc. 2), and STAYS this matter on the docket pending the outcome of arbitration.

SO ORDERED.

Dated: December 22, 2011

/s/ S. Arthur Spiegel

S. Arthur Spiegel
United States Senior District Judge