

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1842

ROBERT ENKEMA,

Plaintiff - Appellant,

v.

FTI CONSULTING, INC.; FTI LLC,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. J. Frederick Motz, Senior District Judge. (1:16-cv-01048-JFM)

Submitted: October 7, 2016

Decided: November 4, 2016

Before NIEMEYER and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Jonathan Biran, BIRAN KELLY LLC, Baltimore, Maryland; William David Bridgers, Andrew Archer Warth, WALLER, LANSDEN, DORTCH & DAVIS, Nashville, Tennessee, for Appellant. Paul Andrew Fenn, CONTI, FENN & LAWRENCE, LLC, Baltimore, Maryland; Judith A. Lockhart, CARTER, LEDYARD & MULBURN, New York, New York, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Enkema seeks to appeal the district court's order directing arbitration in his civil action against his former employer, FTI Consulting, Inc. ("FTI"). This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). Upon review of the district court's order, we conclude that the order in question stayed the district court proceedings pending arbitration of Enkema's claims. Consequently, the order is neither a final order nor an appealable interlocutory or collateral order. See 9 U.S.C. § 16(b)(1), (2) (2012). Therefore, we grant FTI's motion to dismiss the appeal for lack of jurisdiction and deny as moot Enkema's motion to reconsider the suspension of the briefing schedule. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED