-WC Moore v. SSC Montgomery South Haven Operating Company LLC Doc. 10

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MATTIE MOORE as Attorney in Fact and NEXT FRIEND OF JOE MOORE,	)	
Plaintiff,	)	
v.	)	Case Number 2:11cv282-WHA
SSC MONTGOMERY SOUTH HAVEN OPERATING COMPANY, LLC, et al.,	)	(wo)
Defendants.	)	

ORDER

This cause is before the court on the Defendant SSC Montgomery South Haven Operating Company, LLC's Motion to Compel Arbitration and Stay Proceedings (Doc. #4).[1] The Plaintiff concedes that the motion is due to be granted and asks the court to retain jurisdiction while the case is stayed.

For good cause shown it is hereby ORDERED as follows:

1) The Defendant's Motion to Compel Arbitration and to Stay Proceedings is GRANTED.

2) The Plaintiff is ORDERED to submit the claims in the Complaint to binding arbitration in accordance with the terms of the Dispute Resolution Agreement signed by Mattie Madison Moore at the time Joe Moore was admitted to South Haven Health and Rehabilitation Center.

[1] The other defendants contained in the caption of the Complaint were named only as fictitious parties when the case was originally filed in state court, before the case was removed to federal court on the basis of diversity jurisdiction. All fictitious Defendants are hereby ORDERED STRICKEN.

Dockets.Justia.com

3) This case is STAYED pending arbitration.

4) The parties are DIRECTED to file a notice with the court when arbitration has been concluded. If arbitration has not been concluded **by May 3, 2012**, the parties are DIRECTED to file a joint status report at that time.

Done this 3rd day of May, 2011.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE