

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

LYNDON F. McCALL, Personal)
Representative of the)
Estate of Yvonne J.)
McCall, Deceased,)
)
Plaintiff,)
)
v.)
)
SSC MONTGOMERY SOUTH HAVEN)
OPERATING COMPANY, LLC,)
d/b/a South Haven Health)
and Rehabilitation Center,)
et al.,)
)
Defendants.)

CIVIL ACTION NO.
2:14cv588-MHT
(WO)

JUDGMENT

This matter is before the court on the parties' joint stipulation of dismissal without prejudice. In this stipulation, the parties expressly and unequivocally agree to submit this case to binding arbitration.

However, in other respects the stipulation is unclear. On the one hand, the parties agree to the dismissal of this matter without prejudice, a result

that would mean that the case is at an end in this court (albeit without prejudice) and closed permanently. On the other hand, the parties request that the case be placed on the court's administrative docket, a result that is usually reserved for cases that are not over but rather are simply stayed and closed "administratively" pending disposition of the matter in another forum or pending resolution of an underlying and important issue in another forum.

Because of this ambiguity, the court has decided to take the latter, more conservative approach of simply staying the case and closing it administratively. Of course, if the court has chosen the wrong path, the parties can always ask for reconsideration.

Accordingly, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

- (1) This case is stayed pending arbitration.
- (2) All pending motions are denied as moot.

(3) This case is closed administratively. This case will be reopened upon request of one or all of the parties.

DONE, this the 31st day of May, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE