

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

PREMIER PAINT & DRYWALL,	)	
INC.,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	2:18cv155-MHT
	)	(WO)
DESIGNED TO BUILD, LLC,	)	
	)	
Defendant.	)	

OPINION AND ORDER

This case is before the court on the recommendation of the United States Magistrate Judge that defendant's motion to dismiss or to stay the proceedings and compel arbitration should be granted to the extent that the case should be stayed to allow the parties to proceed with arbitration, but should be denied in all other respects. The magistrate judge further recommends that the parties be ordered to file status reports regarding the arbitration. There are no objections to the recommendation. Upon an independent and de novo review

of the record, the court concludes that the recommendation should be adopted.

Accordingly, it is ORDERED as follows:

(1) The recommendation of the United States Magistrate Judge (doc. no. 20) is adopted.

(2) The motion to dismiss or stay the case and compel arbitration (doc. no. 6) is granted only to the extent that this case is stayed pending arbitration of this matter pursuant to the arbitration provision of the parties' contract (doc. no. 6-1), and is denied in all other respects.

(3) The parties shall file a joint status report regarding the status of the arbitration process every ninety days from today and upon completion of the arbitration process.

(4) This case is administratively closed pending the completion of arbitration.

DONE, this the 22nd day of June, 2018.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE