

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

COMPUTER PROGRAMS AND SYSTEMS, INC.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION 14-0548-WS-B
)	
MAD RIVER COMMUNITY HOSPITAL, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on the defendant’s motion to compel arbitration or, in the alternative, motion to transfer. (Doc. 3). The parties have jointly stipulated that the motion to compel arbitration should be granted. (Doc. 6 at 1). Accordingly, the motion to compel arbitration is **granted**. This matter is submitted to arbitration. The motion to transfer, since it seeks only alternative relief should arbitration not be compelled, is **denied as moot**.

The parties have jointly moved for a stay of this action pending the outcome of arbitration. (Doc. 6 at 2). “If any suit or proceeding be brought ... upon any issue referable to arbitration ..., the court in which such suit is pending, upon being satisfied that the issue involved in such suit or proceeding is referable to arbitration ..., *shall on application of one of the parties stay the trial of the action* until such arbitration has been had ...” 9 U.S.C. § 3 (emphasis added). As this Court has observed, “[w]here a plaintiff initiates litigation without satisfying arbitration requirements, courts routinely stay rather than dismiss the proceedings to allow for implementation of the agreed-upon dispute resolution mechanism.” *Campbell v. Pilot Catastrophe Services, Inc.*, 2010 WL 3306935 at *7 (S.D. Ala.

2010). Accordingly, the motion to stay is **granted**. This action is **stayed** pending resolution of the arbitration proceedings.

The parties are **ordered** to file, on or before **February 10, 2015** and on or before the tenth day of every second month thereafter, a report detailing the status of the arbitration proceedings. The parties are furthered **ordered** to file, within 14 days of the conclusion of arbitration proceedings, notification of same.

DONE and ORDERED this 29th day of December, 2014.

s/ WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE