

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

DASHUNDA R. JOHNSON

PLAINTIFF

v.

Case No. 1:16-cv-1089

PIZZA HUT¹

DEFENDANT

ORDER

Before the Court is Defendant NPC International, Inc.’s Motion to Clarify the Court’s Final Scheduling Order. (ECF No. 28). The Court finds that no response is necessary.

On March 21, 2017, the Court entered an order that granted in part and denied in part Defendant’s Motion to Compel Arbitration and Dismiss, or Alternatively, Stay Proceedings. (ECF No. 23). The March 21, 2017 order referred the above-styled matter to arbitration in accordance with the parties’ agreement, and ordered this matter stayed and administratively terminated without prejudice to the parties’ right to reopen the proceedings to enforce the arbitrator’s decision.

On October 2, 2017, the Court entered a Final Scheduling Order, setting a bench trial for the week of May 7, 2018, along with other deadlines. On October 2, 2017, Defendant filed the instant motion, stating that it understood the Court’s March 21, 2017 order to have referred the matter to arbitration and stayed this case. Defendant concludes by asking the Court to clarify whether this case was reopened, and if so, on what basis.

The Court mistakenly entered the October 2, 2017 Final Scheduling Order. This case has not been reopened, and the Court’s March 21, 2017 order remains in effect. The Clerk of Court is

¹ Defendant Pizza Hut states that it was incorrectly named in this action and that its proper name is “NPC International, Inc.” The Court will refer to the party in this Order as “NPC International, Inc.”

directed to stay and administratively terminate this matter pursuant to the Court's order dated March 21, 2017 (ECF No. 23). The Court's Final Scheduling Order (ECF No. 27) is hereby **VACATED**. Defendant's motion (ECF No. 28) is **DENIED AS MOOT**.

IT IS SO ORDERED, this 3rd day of October, 2017.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge