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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THEODIS WILEY, *et al.*
Plaintiff,
v.
CJ BERRY WELL SERVICES
MANAGEMENT LLC,
Defendant.

Case No. 1:24-cv-00756-JLT-CDB
ORDER STAYING ACTION PENDING
RULING ON MOTIONS TO COMPEL
ARBITRATION IN SEPARATE ACTIONS
(Doc. 5)

On May 24, 2024, Plaintiffs Theodis Wiley, Jr. (“Wiley”), David Edwards, and Derrick Massey (“Plaintiffs”) filed a putative wage and hour class action complaint in Kern County Superior Court against Defendant CJ Berry Well Services Management LLC (“Defendant”). (Doc. 1). Defendant removed the action to this Court on June 28, 2024. *Id.* That same day, Defendant filed a notice of related cases, asserting that *Leland Browden v. CJ Berry Well Services Management LLC*, No. 1:24-cv-00418-JLT-CDB (“*Browden*”) is related to the instant action. (Doc. 1-6). On July 22, 2024, Defendant filed a motion to compel individual arbitration of plaintiff’s claims and stay proceedings pending completion of arbitration in *Browden*. (*Browden*, Doc. 7).

Separately, in March 2024, and April 2024, Plaintiff Wiley and Matthew Bergeron filed separate actions in Kern County Superior Court against Defendant in this action and Berry

1 Petroleum Company LLC (“BPC”) for alleged discrimination, wrongful termination, and
2 intentional infliction of emotional distress. *Wiley v. Berry Petroleum Company, LLC et al.*, No.
3 1:24-cv-00553-CDB, Doc. 1 (“*Wiley I*”); *Matthew Bergeron v. Berry Petroleum Company, LLC,*
4 *et al.*, No. 1:24-cv-00503-CDB, Doc. 1 (“*Bergeron*”). Thereafter, Defendant and BPC removed
5 *Wiley I* and *Bergeron* to this Court. *Id.* On July 9, 2024, Defendant and BPC filed a motion to
6 compel individual arbitration of plaintiff’s claims and stay proceedings pending completion of
7 arbitration. (*Bergeron*, Doc. 6).

8 On June 20, 2024, the parties in *Wiley I* filed a stipulated request to stay discovery
9 pending resolution of the motion to compel arbitration filed in *Bergeron*. (*Wiley I*, Doc. 3). The
10 parties noted the arbitration agreement at issue in *Bergeron* was identical to the one at issue in
11 *Wiley I*. *Id.* at 3. The parties represented that the outcome of the motion in *Bergeron* may moot
12 the need for a motion to compel arbitration in *Wiley I* or, at minimum, narrow certain issues
13 pertaining to any motion to compel arbitration that Plaintiff Wiley could file. *Id.* On June 24,
14 2024, the Court issued an order staying *Wiley I* pending the Court’s ruling on the motion to
15 compel arbitration in *Bergeron*. (*Wiley I*, Doc. 4).

16 On September 17, 2024, the parties to this action filed a joint Rule 26(f) report. (Doc. 5).
17 Defendant asserted that the arbitration agreement at issue in this case is identical to the
18 arbitration agreements at issue in *Browden*, *Wiley I*, and *Bergeron*. *Id.* at 4. Defendant requests
19 the Court stay all further proceedings in this action, including discovery, pending the outcome
20 “of one (or both) of [the motions to compel arbitration].” *Id.* Plaintiff notes that in the interest
21 of “judicial economy,” it agrees to Defendant’s position to stay this action pending the results of
22 the motions to compel arbitration in *Browden* and *Bergeron*. *Id.*

23 Accordingly, in light of the parties’ representations and good cause appearing, IT IS
24 HEREBY ORDERED:

- 25 1. This action is STAYED pending the Court’s ruling on the motions to compel arbitration
26 in the *Browden* and *Bergeron* actions; and

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2. The scheduling conference set for September 27, 2024, is VACATED.

IT IS SO ORDERED.

Dated: September 25, 2024


UNITED STATES MAGISTRATE JUDGE