



1 Presently before the Court is Defendants' Motion to Dismiss/Stay this Action  
2 and/or to Compel Arbitration. ECF No. 8. According to Defendants, all of Plaintiff's  
3 causes of action aside from her Federal Labor Standards Act ("FLSA") claim are already  
4 the subject of a settlement approved in a separate class action filed in the Eastern  
5 District of Michigan, Jane Doe 1-2 v. Déjà Vu Services, Inc., Case No. 2:16-cv-10877-  
6 SMJ-PTM. Moreover, an injunction was issued in that case specifically enjoining the  
7 Plaintiff and others from prosecuting the instant claims. Defendants further contend that  
8 this action should be stayed under the "first-to-file" rule, which permits courts to stay  
9 proceedings that are substantially similar to an already pending action. Finally,  
10 Defendants ask the Court alternatively to compel arbitration of Plaintiff's claims pursuant  
11 to an arbitration agreement contained in her contract with Defendants.

12 Given the lack of finality of the Michigan action and the broad injunction issued in  
13 that case, it makes little sense for this Court to address the merits of any of Plaintiff's  
14 claims now. Once the judgment in that case is final, then this Court can address which  
15 of Plaintiff's claims are barred by that action and which, if any, are potentially subject to  
16 arbitration. Accordingly, Defendants' Motion (ECF No. 8) is GRANTED as to  
17 Defendants' request for a stay, DENIED without prejudice as to Defendants' requests for  
18 dismissal and/or to compel arbitration. This action is hereby STAYED until judgment in  
19 Jane Doe 1-2 v. Déjà Vu Services, Inc., Case No. 2:16-cv-10877-SMJ-PTM, is final. All  
20 pending dates in this case are VACATED. Not later than sixty days following the date  
21 this order is electronically filed, and every sixty days thereafter until the stay is lifted, the  
22 parties are directed to file a joint status report advising the Court regarding the status of  
23 the Michigan action.

24 IT IS SO ORDERED.

25 Dated: January 3, 2018

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MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE