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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

OSBERT AYENI-AARONS,  
Plaintiff,  
v.  
BEST BUY CREDIT  
SERVICES/CBNA, et al.,  
Defendants.

No. 2:18-cv-01625-MCE-KJN

**ORDER**

The Court has reviewed the parties' Joint Status Report filed on April 19, 2023. ECF No. 81. Although the Court granted Defendant Citibank's Motion to Compel Arbitration in August 2019, see ECF No. 53, arbitration has not yet commenced and per the Joint Status Report, Plaintiff and Defendant Citibank disagree over who should initiate it. See ECF No. 81 ¶¶ 2–11. Because Plaintiff is the one pursuing claims against Defendant Citibank, he is responsible for initiating arbitration, just as he would be responsible for filing an action in a court of law. With that said, the Court admonishes both Plaintiff and Defendant Citibank for the immense delay in moving this case forward given that this Court issued its order compelling arbitration almost four years ago.

Accordingly, not later than thirty (30) days following the date this Order is issued, Plaintiff is hereby ordered to initiate arbitration. Plaintiff's failure to timely comply with

1 this Order will result in the imposition of sanctions for failure to prosecute and/or to  
2 comply with the applicable rules and orders of this Court without further notice. The  
3 parties shall continue to submit a joint status report every sixty (60) days hereafter as to  
4 the status of the arbitration. In the meantime, this case shall remain STAYED.

5 IT IS SO ORDERED.

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7 Dated: May 3, 2023

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MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE

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