

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

AMIR KHAN, on behalf of himself and all
similarly situated,

Plaintiff,

vs.

ORKIN EXTERMINATING COMPANY,
INC.; ORKIN, INC.; ORKIN LLC,

Defendants.

Case No: C 10-02156 SBA
ORDER

Plaintiffs filed the instant class action on May 19, 2010. The case was assigned to Judge Vaughn Walker. On July 2, 2010, Defendants filed a motion to stay and to compel arbitration. Dkt. 20. On July 15, 2010, Judge Walker issued an order staying the action pending the Supreme Court’s forthcoming decision in AT&T Mobility LLC v. Concepcion, 130 S.Ct. 3322 (2010). Dkt. 30. In view of that decision, Judge Walker expressly declined to reach the merits of Defendants’ motion to stay and to compel arbitration. Id. at 9-10. The action was subsequently reassigned to this Court on January 31, 2011, as a result of Judge Walker’s retirement. Dkt. 31, 32. Accordingly,

IT IS HEREBY ORDERED THAT the Clerk shall administratively close the instant action. Within thirty days of the Supreme Court’s issuance of a written decision or order in Concepcion, the parties shall file a joint request to reopen the case and request that the Court to schedule a case management conference. This Order terminates Docket 20.

IT IS SO ORDERED.

Dated: March 4, 2011


SAUNDRA BROWN ARMSTRONG
United States District Judge