

1
2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 AMERICAN RADIO ASSOCIATION,

6 Plaintiff(s),

No. C 12-3090 PJH

7 v.

**ORDER DENYING MOTION TO
COMPEL ARBITRATION**

8 PATRIOT CONTRACT SERVICES,

9 Defendant(s).
_____/


10
11 Petitioner American Radio Association's motion to compel arbitration came on for
12 hearing before this court on August 29, 2012. Petitioner American Radio Association
13 ("petitioner") appeared through its counsel, David Rosenfeld. Respondent Patriot Contract
14 Services ("respondent") appeared through its counsel, Jane Jacobs. Having read the
15 papers filed in conjunction with the motion and carefully considered the arguments and the
16 relevant legal authority, and good cause appearing, the court hereby DENIES petitioner's
17 motion, for the reasons stated at the hearing, and summarized as follows.

18 Critically, the court notes that respondent has already agreed to submit to arbitration.
19 Thus, there is no need for the court to "compel arbitration," as requested by petitioner. Any
20 remaining disputes as to the arbitration procedure and its location, that have arisen given
21 the current impossibility of compliance with all of the terms of the collective bargaining
22 agreement, are to be negotiated and agreed upon by the parties without court intervention.

23 As this litigation was commenced with the filing of the petition to compel arbitration
24 and in light of its denial, this matter is terminated. The Clerk shall close the file.

25 IT IS SO ORDERED.

26 Dated: August 29, 2012



27 PHYLLIS J. HAMILTON
28 United States District Judge