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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SPRINT SOLUTIONS, INC., et al.,  
Plaintiffs,  
v.  
JOHN RUSSELL SNYDER, et al.,  
Defendants.

Case No. [5:15-cv-02439-EJD](#)  
**ORDER RE: MOTION TO DISMISS**  
Re: Dkt. No. 26

Plaintiff Sprint Solutions, Inc. (“Sprint”) brings this action against John Russell Snyder and Thirty-One Echo, Inc. (collectively, “Defendants”), alleging injuries arising from the unlawful and unauthorized purchasing and reselling of Sprint wireless telephones.

In a motion challenging Sprint’s pleading, Defendants have moved, inter alia, to dismiss all of Sprint’s claims for lack of subject matter jurisdiction. Dkt. No. 26. Defendants argue dismissal is necessary because the parties “contractually waived” the subject matter jurisdiction of this court pursuant to an agreement providing that disputes be submitted to a dispute resolution process. In response to this argument, Sprint indicates that it does not oppose staying the claims asserted in this action - save for the claim for injunctive relief - so that the parties may engage in the contractual dispute resolution process.

Although not explicit, the parties’ arguments suggest recognition that (1) an agreement exists between Sprint and Defendants that requires the submission of claims to dispute resolution, and (2) that most of Sprint’s claims are subject to that agreement. Accordingly, it appears to the court that an efficient resolution may be the one proposed by Sprint: the entry of an order compelling the parties to participate in the contractual dispute resolution process as to certain claims, and staying those claims during that process.

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Accordingly, on or before **June 15, 2016**, each party shall file a brief written response, not exceeding three pages in length, which addresses the court's proposal.

**IT IS SO ORDERED.**

Dated: June 8, 2016

  
EDWARD J. DAVILA  
United States District Judge