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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CARLOS SOLIS,

Plaintiff,

v.

CITIBANK, N.A.,

Defendant.

Case No.: 22cv1941-L-MDD

ORDER

[ECF No. 5]

Pending before the Court is Joint Motion and Stipulation to Arbitrate and Stay Action. (ECF No. 5, "Joint Motion.") The parties agree to submit all claims in this action to binding arbitration. Insofar as the parties stipulate to submit to arbitration, the Joint Motion is granted. To the extent the parties stipulate to stay rather than dismiss this action, the Joint Motion is denied. A district court may either stay an action or dismiss it when, as here, all claims raised in the action are subject to arbitration. *Johnmohammadi v. Bloomingdale's, Inc.*, 755 F.3d 1072, 1074 (9th Cir. 2014).

Accordingly, it is hereby ordered as follows:

1. The Joint Motion is granted in part and denied in part.
2. This action in its entirety is ordered to binding individual arbitration with the American Arbitration Association and shall proceed pursuant to the terms of the

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1 arbitration provision contained in the credit card agreement attached as Exhibit A to the
2 Joint Motion (ECF no. 5-1.)

3 3. This action is dismissed without prejudice.

4 4. This Order does not preclude either party from returning to court to confirm,
5 vacate, or modify the arbitration award to the extent provided by law.

6 **IT IS SO ORDERED.**

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8 Dated: January 17, 2023

9 
10 Hon. M. James Lorenz
11 United States District Judge
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