

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 09-cv-03035-LTB

GABRIELLE GOULDNER,

Plaintiff,

v.

PAYDAY EVERYDAY OF COLORADO, INC., a Colorado corporation, d/b/a FASTBUCKS; FASTBUCKS HOLDING CORPORATION, a Nevada corporation; FASTBUCKS MANAGEMENT COMPANY, LLC., a Nevada corporation; FASTBUCKS FRANCHISE CORPORATION, a Nevada corporation; FASTBUCKS WAGE AND BENEFITS, LLC, a Nevada corporation; and all PARENT, SUBSIDIARY and AFFILIATE ENTITIES related thereto,

Defendants.

ORDER

THIS MATTER is before the Court on Defendants' Motion to Dismiss, or to Abate Proceedings, filed December 30, 2009 (docket # 4) and Plaintiff's Response, filed January 25, 2010 (docket #9). This action is an employee discrimination suit brought by Plaintiff against all Defendants, alleging that she was terminated because she was pregnant and was subjected to sex discrimination.

Defendants request that this action be stayed or dismissed in accordance with the employment agreement entered into by the Plaintiff and her employer. The employment agreement provides, in paragraph 21, for binding arbitration of any and all disputes between Plaintiff and her employer. Plaintiff is in agreement with Defendant that the best way to resolve this dispute is through arbitration. Plaintiff's consent is offered without waiver of any rights that Plaintiff would otherwise retain.

Therefore, it is hereby ORDERED that Defendants' Motion to Dismiss, or to Abate Proceedings, filed December 30, 2009 (docket # 4) is **GRANTED**. It is

FURTHER ORDERED that all further proceedings are **STAYED** until arbitration has been completed. It is

FURTHER ORDERED that the parties shall file a status report or a motion to dismiss within thirty (30) days of the completion of arbitration. It is

FURTHER ORDERED that the parties are to bear their own costs and fees.

Dated: March 3, 2010

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge