

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

CINDY DUKES,

Plaintiff,

v.

Case No: 2:17-cv-697-FtM-38MRM

THE CHECK CASHING STORE,

Defendant.

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**ORDER**<sup>1</sup>

This matter comes before the Court on Defendant The Check Cashing Store's Motion to Dismiss or Compel Arbitration ([Doc. 11](#)) filed on February 1, 2018.<sup>2</sup> Plaintiff Cindy Dukes filed a Notice of Non-Objection to Defendant's Motion ([Doc. 10](#)) on February 7, 2018. The parties agree to staying this matter and compelling arbitration. After review of the record and applicable law, the Court will compel arbitration, stay this case, and deny without prejudice all other relief requested.

Accordingly, it is now

**ORDERED:**

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<sup>1</sup> Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

<sup>2</sup> Pursuant to a previous Court order, the Court will consider the redacted version of the arbitration agreement ([Doc. 11-1](#)) in its evaluation of the Motion.

1. Defendant The Check Cashing Store's Motion to Dismiss or Compel Arbitration (Doc. 8) is **GRANTED in part** and **DENIED in part without prejudice**. The Motion is granted to the extent that the Court will stay this case and compel arbitration. The Motion is denied without prejudice as to all other relief requested.
2. All proceedings in this case are **STAYED** until the parties advise the Court that arbitration has been completed and that the stay is due to be lifted or the case is due to be dismissed. The parties must notify the Court of such matters within **seven (7) days** of the arbitration proceedings concluding.
3. The parties are **DIRECTED** to file a joint report regarding the status of arbitration on or before **May 10, 2018**, and every ninety (90) days thereafter until the conclusion of arbitration.
4. The Clerk is **DIRECTED** to add a stay flag.
5. If this matter fails to settle at arbitration, Defendant may move to strike Plaintiff's demand for jury trial within fourteen (14) days after the stay is lifted.

**DONE** and **ORDERED** in Fort Myers, Florida this 9th day of February, 2018.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record