

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SIMON HARRINGTON,

Plaintiff,

v.

CASE NO. 8:17-cv-149-T-26TGW

SYNCHRONY BANK, *et al.*,

Defendants.

ORDER

UPON DUE AND CAREFUL CONSIDERATION, it is **ORDERED AND ADJUDGED** that Defendant Synchrony Bank's Amended Motion to Compel Arbitration and Alternative Motion to Stay (Dkt. 38) is **granted**. The Motion for Dismissal (Dkt. 38) is **denied**.¹ The parties are directed to arbitrate Plaintiff's claims pursuant to the Sam's Club Personal Credit Card Account Agreement attached to the Koehler Declaration as Exhibit Two. All proceedings in this case are **stayed** pending arbitration. The Clerk is directed to administratively **CLOSE** this case during the period of the stay.

DONE AND ORDERED at Tampa, Florida, on September 26, 2017.

s/Richard A. Lazzara

RICHARD A. LAZZARA
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO: Counsel of Record

¹ When compelling arbitration, Court is required to stay the case rather than dismiss it. See Bender v. A.G. Edwards & Sons, Inc., 971 F. 2d 698, 699 (11th Cir. 1992).