



UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 09-20807-CIV-MORENO

ALFRED SEIJAS,

Plaintiff,

vs.

OCE BUSINESS SERVICES, INC.,

Defendant.

**ORDER GRANTING DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S
COMPLAINT**

THIS CAUSE came before the Court upon Defendant's Motion to Dismiss Plaintiff's Complaint (**D.E. No. 5**), filed on **April 6, 2009**.

THE COURT has considered the motion and the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ADJUDGED that the motion is GRANTED. Defendant's motion contends that Plaintiff's claims are subject to binding arbitration. Plaintiff has not filed a response to the motion to dismiss disputing the claim that he is subject to binding arbitration. The time for filing a response has now passed. *See* S.D. Fla. L.R. 7.1(C) ("Each party opposing a motion shall serve an opposing memorandum of law no later than ten days after service of the motion as computed in the Federal Rules of Civil Procedure. Failure to do so may be deemed sufficient cause for granting the motion by default."). There is a strong federal policy favoring arbitration and dismissal is proper when the court enforces an agreement to arbitrate. *Caley v. Gulfstream Aerospace Corp.*, 428 F.3d 1359 (11th Cir. 2005). Accordingly, the Court grants the motion to dismiss. It is also

ADJUDGED that all pending motion are DENIED as moot and this case is CLOSED.

DONE AND ORDERED in Chambers at Miami, Florida, this 28th day of April, 2009.



FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies provided to:

Counsel of Record