

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

JAY BEENKEN,

Plaintiff,

vs.

THE EVANGELICAL LUTHERAN
GOOD SAMARITAN SOCIETY, d/b/a
GOOD SAMARITAN SOCIETY—
COOK LEGACY VILLAGE,

Defendant.

No. C 15-3096-MWB

**ORDER CONFIRMING
ARBITRATION ORDER AND
DISMISSING CASE WITH
PREJUDICE**

On September 4, 2015, I entered an Order staying these proceedings and compelling arbitration of the parties' dispute. On February 1, 2017, the defendant filed its Motion To Confirm Arbitration Order And Dismiss With Prejudice. The plaintiff filed no timely response. On February 27, 2017, I entered an Order giving the plaintiff to and including March 6, 2017, to file a response to the defendant's Motion, advising the plaintiff that "[f]ailure to respond to the Motion will likely result in the granting of the Motion and the dismissal of this case with prejudice." The plaintiff has filed no response.

THEREFORE,

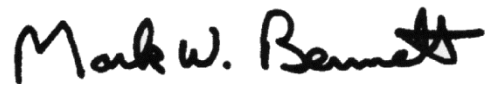
1. The defendant's February 1, 2017, Motion To Confirm Arbitration Order And Dismiss With Prejudice (docket no. 13) is **granted**.
2. The arbitrator's January 16, 2017, Ruling, filed as Exhibit B to the defendant's Motion, finding that the plaintiff's failure-to-promote and wage

discrimination claims fail both as a matter of law and fact and, accordingly, denying the plaintiff's claims, is **confirmed**.

3. This action is **dismissed** in its entirety, with prejudice.
4. Judgment shall enter accordingly.

IT IS SO ORDERED.

DATED this 27th day of March, 2017.



MARK W. BENNETT
U.S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA