

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

RICHARD B. SMITH

CIVIL ACTION

VERSUS

ACCUMETRICS, INC.

No. 14-569-BAJ-RLB

ORDER

WHEREAS on February 3, 2015, United States Magistrate Judge Richard L. Bourgeois, Jr. issued a Report and Recommendation (Doc. 29), pursuant to 28 U.S.C. § 636(b)(1)(B), recommending that the Court deny Plaintiff's Motion to Remand (Doc. 10); and

WHEREAS the Magistrate Judge's Report and Recommendation specifically notified all parties that, pursuant to 28 U.S.C. § 636(b)(1), the parties had fourteen (14) days from the date they were served with the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations set forth therein. (Doc. 29 at p. 1); and

WHEREAS a review of the record indicates that neither party submitted written objections; and

WHEREAS, having carefully and independently considered the Magistrate Judge's Report and Recommendation, the record, and the applicable law, the Court concludes that the Magistrate Judge's Report and Recommendation is correct, and hereby adopts its findings of fact and conclusions of law.

IT IS ORDERED that the **Magistrate Judge's Report and Recommendation (Doc. 29)** is **ADOPTED** as the Court's opinion herein.

IT IS FURTHER ORDERED that the Motion to Remand (Doc. 10) is DENIED.

IT IS FURTHER ORDERED that Defendant's Motion to Compel Arbitration and Stay Proceedings Pending Arbitration (Doc. 5)¹ is GRANTED IN PART. The Court will stay the proceedings for 90 (ninety) days. The parties shall file a joint status report by Thursday, July 2, 2015.

IT IS FURTHER ORDERED that the following Motions are TERMINATED as MOOT:

- Motion to Vacate Scheduling Order and Stay Discovery (Doc. 30); and
- Motion for Expedited Hearing on Motion to Vacate Scheduling Order and Stay Discovery (Doc. 31).

Baton Rouge, Louisiana, this 2nd day of April, 2015.



BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

¹ Plaintiff did not file an opposition to this Motion.