

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

EDWARD D. JONES & CO., L.P.,

Plaintiff,

vs.

JAMES LOYET,

Defendant.

8:19CV185

MEMORANDUM AND ORDER

This matter is before the Court on the unopposed Motion to Compel Arbitration and Stay Proceedings, ECF No. 13, filed by Defendant James Loyet. The Motion will be granted.

“Two questions are pertinent when [considering] . . . a motion to compel arbitration: (1) whether the parties entered a valid arbitration agreement, and, (2) if so, whether the parties’ particular ‘dispute falls within the scope of the arbitration agreement.’” *Parm v. Bluestem Brands, Inc.*, 898 F.3d 869, 873 (8th Cir. 2018) (quoting *Unison Co. v. Juhl Energy Dev., Inc.*, 789 F.3d 816, 818 (8th Cir. 2015)). If both questions are answered in the affirmative, the Court “shall on application of one of the parties stay the trial of the action until such arbitration has been had in accordance with the terms of the agreement” 9 U.S.C. § 3.

The parties agree a valid agreement requires arbitration of their dispute and that the Court should stay all further proceedings in this case. Accordingly,

IT IS ORDERED:

1. The Motion to Compel Arbitration and Stay Proceedings, ECF No. 13, filed by Defendant James Loyet is granted; and

2. This action is stayed pending resolution of arbitration.

Dated this 28th day of June, 2019.

BY THE COURT:

s/Laurie Smith Camp
Senior United States District Judge