

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

24 HOUR FITNESS USA, INC., a California
corporate dba 24 HOURS FITNESS;
SPORT AND FITNESS CLUBS OF
AMERICA, INC., a California corporation
dba 24 HOUR FITNESS,

Case No. 2:12-cv-00024-MMD-RJJ

ORDER

Petitioner,

v.

DAVE AVERY

Respondent.

Plaintiffs 24 Hour Fitness USA, Inc. and Sport and Fitness Club of America initiated this action and other actions before this court to compel arbitration. However, Judge Samuel Conti of the United States District Court for the Northern District of California recently issued an order enjoining Plaintiffs from “continuing to prosecute, or from filing in the first instance, any out-of-district Petitions it has filed against any of the 983 claimants,” finding that the proper venue for such dispute is before that Court. (Dkt. no. 24, Ex. A at 31-32.) Judge Conti ordered Plaintiffs to file its Order in each of the out of district cases. Plaintiffs have complied by filing the notice of order. Because Plaintiffs are now enjoined from prosecuting this action, this action shall be stayed. Plaintiffs shall file a status report with the Court when Judge Conti’s order becomes final, or is appealed and thereafter becomes final.

DATED THIS 12th day of July 2012.



UNITED STATES DISTRICT JUDGE