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7
 8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

10 SUSAN WYATT, an individual,

11 Plaintiff,

12 vs.

13 SEARS, ROEBUCK AND CO., a foreign
 corporation; DOES I-X; ROE
 14 CORPORATIONS I-X;

15 Defendants.

Case No. 2-15-cv-02323-RFB-CWH

**STIPULATION AND ORDER TO STAY
 PROCEEDINGS PENDING BINDING
 ARBITRATION**

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 17 Defendant Sears, Roebuck and Co. (“Sears”) and Susan Wyatt (“Plaintiff”), by and
 18 through their respective counsel, hereby stipulate and agree (the “Stipulation”) as follows:

19 1. On October 31, 2015, Plaintiff filed a Complaint in the Eighth Judicial District
 20 Court, Clark County, Nevada, alleging three causes of action for: (1) age discrimination in
 21 violation of Title VII, the Age Discrimination in Employment Act and NRS 613.310 et. seq.; (2)
 22 disability discrimination in violation of the American with Disabilities Act and NRS 613.310 et.
 23 seq.; and (3) hostile work environment in violation of Title VII and NRS 613.330;

24 2. On December 8, 2015, Sears removed the Action to federal court (**Dkt. No. 1**);

25 3. On December 15, 2015, Sears filed a Motion to Dismiss, or in the Alternative,
 26 Motion to Stay Pending Arbitration Proceedings demonstrating that during the course of
 27 Plaintiff’s employment Plaintiff and Sears entered into a mandatory, binding Arbitration
 28 Policy/Agreement (**Dkt. No. 4**); and

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4. The proceedings before the Court should be stayed so that this dispute may be submitted to binding arbitration pursuant to the terms of the Arbitration Agreement.

DATED: December 28, 2015

Dated: December 28, 2015

JACKSON LEWIS P.C.

DEVNEY LAW FIRM

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ORDER

IT IS HEREBY ORDERED that Sears' Motion to Dismiss, or in the Alternative, Motion to Stay Pending Arbitration Proceedings is moot in light of the instant Stipulation and the above captioned matter shall be stayed; provided, however, that the Court shall retain jurisdiction pending the conclusion of the arbitration proceedings.

IT IS FURTHER ORDERED that this matter be stayed until May 5, 2016, at which time a stipulation of dismissal shall be filed, or in the alternative, a status report shall be filed.



RICHARD F. BOULWARE, II
United States District Judge

DATED this 6th day of January, 2016.