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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

SCOTT REATH,

Plaintiff,

v.

CREDIT ONE FINANCIAL, et al.,

Defendants.

Case No. 2:16-cv-02622-APG-PAL

ORDER

This matter is before the court on the parties' Joint Status Report Regarding Arbitration Proceedings (ECF No. 28). The parties advise that "they are in the process of submitting the claim to a mutually agreeable arbitrator, and have discussed the possibility of resolving this matter to preserve unnecessary attorney's fees and costs." They propose to file another status report by September 25, 2017.

On May 30, 2017, the court granted the parties' stipulation to stay pending their agreement to arbitrate. The order expressly provided that "the parties shall exercise their best good-faith efforts to schedule and complete arbitration proceedings and expeditiously as possible." The order also required the parties to submit status reports every 60 days until arbitration was completed. The statement that the parties "are in the process of submitting the claim to a mutually acceptable arbitrator" is insufficient to satisfy the court that the parties are attempting to comply with this court's order. The status report does not specify what efforts have been made, when they were made, or whether and to whom a claim for arbitration has actually been submitted, only that they are "in the process." The court will not allow this case to languish on its docket, and will lift the stay if the parties do not demonstrate they are exercising their best good-faith efforts to resolve this case as expeditiously as possible as ordered.

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IT IS SO ORDERED that the parties shall comply with the court's order to proceed with arbitration within the next 60 days or the stay will be lifted, and a discovery plan and scheduling order will be entered to get this case resolved.

DATED this 31st day of July, 2017.


PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE