

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**

* * *

ASHOK K. SEHDEV,
Plaintiff,
v.
IAM NATIONAL PENSION FUND,
Defendant.

Case No. 2:17-cv-00374-APG-PAL

**ORDER GRANTING MOTION TO
TRANSFER VENUE**

(ECF No. 9)

Plaintiff Ashok Sehdev filed this action under the Employee Retirement Income Security Act of 1974. ECF No. 1. Defendant IAM National Pension Fund moves to transfer the case to the United States District Court for the District of Columbia pursuant to the forum selection clause contained within the Fund’s governing plan document. Sehdev does not oppose.

The plan contains a forum selection clause stating that any person who wishes to file suit against the plan must do so in the United States District Court for the District of Columbia. ECF No. 9-2 at 44. The plan advised Sehdev of this provision both before this dispute arose and in its letters denying his claim. ECF Nos. 9-3 at 4; 9-4 at 3; 9-5; 9-6. Sehdev does not dispute the mandatory forum selection clause controls and he does not identify any extraordinary circumstances that would weigh against transfer. I therefore will transfer this action to the United States District Court for the District of Columbia. *See Atl. Marine Const. Co. v. U.S. Dist. Court for W. Dist. of Texas*, 134 S. Ct. 568, 581 (2013); 28 U.S.C. § 1404(a).

IT IS THEREFORE ORDERED that defendant IAM National Pension Fund’s motion to transfer venue **(ECF No. 9) is GRANTED.**

IT IS FURTHER ORDERED that this action is transferred to the United States District Court for the District of Columbia.

DATED this 2nd day of June, 2017.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE