

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:14-cv-00327-MR-DLH**

**HAROLD LEWIS, as Personal** )  
**Representative of the Estate of** )  
**WELZIE V. LEWIS JR.,** )  
 )  
**Plaintiff,** )  
 )  
**vs.** )  
 )  
**BRIAN CENTER HEALTH &** )  
**REHABILITATION WEAVERVILLE,** )  
**et al.,** )  
 )  
**Defendants.** )  
 )

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**ORDER**

**THIS MATTER** is before the Court on the Defendant SSC Weaverville Operating Company, LLC's Motion to Compel Arbitration and Stay Proceedings [Doc. 7].

The Plaintiff and the Defendant SSC Weaverville Operating Company, LLC, by way of a proposed Consent Order, have advised the Court that they have agreed to arbitrate their dispute. For the reasons stated in the Defendant's motion, and in light of the Plaintiff's consent thereto, the Court will order these parties to submit to arbitration.

With respect to the remaining defendants in this case, Defendants Brian Center Health & Rehabilitation Weaverville, SSC Weaverville

Management Company, LLC, Brian Center Management Corporation, Brian Center Corporation, SSC Equity Holdings, LLC, and Brian Center Health & Retirement/Weaverville, Inc. have not appeared or otherwise defended this action, and the Plaintiff appears to have made no effort to prosecute the action further against these Defendants. The Court will allow the Plaintiff fourteen (14) days to file an appropriate motion or otherwise take further action with respect to these Defendants. The Plaintiff is advised that failure to take further action against these Defendants will result in the dismissal of his claims against them.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Plaintiff shall submit his claims against Defendant SSC Weaverville Operating Company, LLC to arbitration as contemplated under the terms of the Dispute Resolution Program Agreement made between the parties [Doc. 7-1].

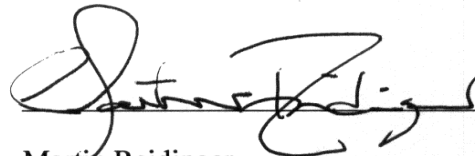
**IT IS FURTHER ORDERED** that within fourteen (14) days of the entry of this Order, the Plaintiff shall file an appropriate motion or otherwise take further action with respect to Defendants Brian Center Health & Rehabilitation Weaverville, SSC Weaverville Management Company, LLC, Brian Center Management Corporation, Brian Center Corporation, SSC Equity Holdings, LLC, and Brian Center Health & Retirement/Weaverville,

Inc. The Plaintiff is advised that failure to take such further action against these Defendants will result in the dismissal of his claims against them.

**IT IS FURTHER ORDERED** that this case is hereby **STAYED** as to Defendant SSC Weaverville Operating Company, LLC pending the outcome of the arbitration proceedings.

**IT IS SO ORDERED.**

Signed: May 26, 2015

  
Martin Reidinger  
United States District Judge

