

FILED

3:10 pm Jul 11 2023

**Clerk U.S. District Court
Northern District of Ohio
Akron**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ISAAK SMITH,)	CASE NO.: 4:23-cv-00477
)	
Plaintiff,)	
)	JUDGE JOHN R. ADAMS
v.)	
)	
STEWARD TRUMBULL MEMORIAL)	<u>MEMORANDUM OF OPINION AND</u>
HOSPITAL, INC. D/B/A TRUMBULL)	<u>ORDER</u>
REGIONAL MEDICAL CENTER, <i>et al.</i> ,)	(Resolving Doc. 11)
)	
Defendants.)	

This matter comes before the Court on the Motion of Defendants Steward Trumbull Memorial Hospital, Inc., Carol A. Snowberger, and Michael L. Hall to compel arbitration and dismiss the action, or in the alternative, to stay the action. Doc. 11. Plaintiff, Isaak Smith, filed a response stipulating that the matter should go to arbitration and requesting that this Court stay the case pending arbitration. Doc. 12.

With respect to the issue of staying or dismissing the matter, the Court has reviewed the Sixth Circuit law and it is clear that the Court may choose either course of action. *See Hensel v. Cargill, Inc.*, 198 F.3d 245 (6th Cir. 1999) (table decision); *ATAC Corp. v. Arthur Treacher's, Inc.*, 280 F.3d 1091 (6th Cir. 2002). In past cases, this Court has consistently followed one approach and will continue to do so herein. The Court believes that its practice protects the parties' rights and promotes judicial economy.

Accordingly, Defendants' Motion is GRANTED and Plaintiff is compelled to arbitrate any claims in the Complaint that he has against the Defendants. Further proceedings in the above-captioned case are hereby perpetually stayed and the case is hereby CLOSED, subject to reopening

upon a well-taken written motion of Plaintiff, Defendants, or any other proper party in interest, after the final decision of the Arbitrator.

IT IS SO ORDERED.

Date: July 11, 2023

/s/ John R. Adams

JOHN R. ADAMS
UNITED STATES DISTRICT JUDGE