

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

SAFE STEP WALK-IN TUB CO., a Tennessee corporation, and MICHAEL DUFFER,

Petitioners,

v.

GREENWORKSUS,
a California corporation,

Respondent.

Case No. 3:13-cv-00489

EXHAUSTIVE
This motion and any other pending motion is set for a hearing on June 27, 2014 at 2:00pm
Cull
1810
6-9-14

**PETITIONERS' MOTION TO LIFT STAY AND GRANT
MOTION TO COMPEL ARBITRATION IN LIGHT OF JULY 12, 2013
ORDER STAYING CALIFORNIA PROCEEDING PENDING THIS COURT'S
RULING ON PETITIONERS' MOTION TO COMPEL ARBITRATION**

Petitioners Safe Step Walk-in Tub Co. ("Safe Step") and Michael Duffer ("Duffer"), by their attorneys, respectfully move this Court to lift the stay that it entered on July 2, 2013 and grant Safe Step's and Duffer's motion to compel arbitration. Petitioners make this motion because, in accordance with the terms of the Federal Arbitration Act, the United States District Court for the Northern District of California has stayed all proceedings in that Court pending this Court's ruling on Petitioners' motion to compel arbitration. In further support of their motion, Safe Step and Duffer state as follows:

1. As set forth in more detail in Safe Step's and Duffer's memorandum of law in support of their motion to compel arbitration [Docket Entry No. 8], the parties to this proceeding have been engaged in an arbitration proceeding in Nashville, Tennessee for over seven months. That proceeding (Case No. 30-155-000003-13) (the "Arbitration Action") was commenced, and is proceeding, in accordance with the terms of the parties' arbitration