

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

LISA RANIERI and MEGAN CORNELIUS,
individually and on behalf of a class of similarly
situated persons,

Plaintiffs,

vs.

ADVOCARE INTERNATIONAL, L.P.,
DANIEL MCDANIEL, JENNY DONNELLY,
CRYSTAL THURBER, WES BEWLEY,
DAWN FUNK, and TYLER DEBERRY,

Defendants.

Case NO. 3:17-cv-00691-B

**STIPULATION AND JOINT MOTION TO STAY
PROCEEDINGS PENDING ARBITRATION**

Plaintiffs Lisa Ranieri and Megan Cornelius (“**Plaintiffs**”), and Defendants AdvoCare International, L.P., Daniel McDaniel, Jenny Donnelly, Crystal Thurber, Wes Bewley, Dawn Funk, and Tyler DeBerry (collectively, “**Defendants**,” and with Plaintiffs, the “**Parties**”), respectfully move the Court to stay proceedings in this action pending outcome of an arbitration(s) regarding whether this case is arbitrable.

BACKGROUND

Plaintiffs filed this action against Defendants in this Court on March 9, 2017. On May 15, 2017, Defendants filed in this Court motions to compel arbitration [Dkt. Nos. 18, 20].

The Parties have agreed to submit to arbitration the question of whether this case, or any part of it, is arbitrable. The Parties have also agreed not to seek recovery of any fees and costs incurred in compelling arbitration and litigating the arbitrability of this case.

STIPULATIONS

In light of the foregoing background, the Parties stipulate as follows:

1. All proceedings in this Court in this matter should be stayed pending resolution by an arbitrator(s) whether this case, or any part of it, is arbitrable;

2. The Parties will not pursue attorney's fees, costs, and expenses regarding compelling arbitration and litigating the arbitrability of this case; and
3. Counsel for the Plaintiffs shall update the Court within twenty-one (21) days of the entry of a decision on arbitrability or other final disposition of an arbitration(s) to determine arbitrability.

REQUEST

WHEREFORE, the Parties respectfully move the Court for an order staying this proceeding pending resolution of the issue of arbitrability by an arbitrator(s).

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ORDER OF STAY PENDING ARBITRATION

The Court, having considered Stipulation and Joint Motion to Stay Proceedings Pending Arbitration, has determined that the motion should be **GRANTED**.

IT IS ACCORDINGLY ORDERED that:

1. All proceedings in this Court in this matter should be stayed pending resolution by an arbitrator(s) as to whether this case, or some part of it, is arbitrable; and
2. Counsel for the Plaintiffs shall update the Court within twenty-one (21) days of the entry of a decision on arbitrability or other final disposition of an arbitration(s).

IT IS SO ORDERED:

Date: _____, 2017

PRESIDING JUDGE