

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MELODY YIRU et al.

v.

WORLDVENTURES HOLDINGS, LLC
et al.

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CIVIL ACTION NO. 3:17-CV-2155-S

ORDER

This Order addresses Defendants’ Motion to Dismiss for Failure to State a Claim (“Motion to Dismiss”) [ECF No. 126] and Defendant Michael Azcue’s Motion to Adopt and Join Co-Defendants’ Rule 12(b)(6) Motion to Dismiss (“Motion to Adopt”) [ECF No. 150]. On September 21, 2020, the Court issued an Order on Plaintiff’s Motion to Confirm Arbitration Award remanding the case back to the Arbitrator to resolve ambiguities in his Award of Arbitration. Specifically, the Court asked the Arbitrator to clarify whether he found that the entire Agreement between parties, which includes the arbitration provisions, is illusory and invalid. The Motion to Dismiss requires analysis of a choice-of-law provision in the Agreement. As the validity of that Agreement is currently unclear, the Court **DENIES** the Motion to Dismiss at this time and **FINDS AS MOOT** the Motion to Adopt. The Court **GRANTS** Plaintiff leave to amend her First Amended Complaint within fourteen (14) days after the Arbitrator issues an Amended Award of Arbitration. If warranted, Defendants have leave to file any motion to dismiss, if any, within 14 days of the filing of any such amended complaint.

SO ORDERED.

SIGNED September 21, 2020.



KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE