

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 22-7318 PA (AFMx)	Date	November 17, 2022
Title	Denise Sznitko v. Grubhub Inc. et al.		

Present: The Honorable	PERCY ANDERSON, UNITED STATES DISTRICT JUDGE		
Patricia Kim	Not Reported	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
None	None		

**Proceedings:** IN CHAMBERS COURT ORDER

Before the Court is a Motion to Compel Arbitration filed by defendant Grubhub Inc. (“Grubhub” or “Defendant”) (Docket No. 16). Grubhub’s Motion seeks to enforce an arbitration agreement that Grubhub contends governs the claims asserted by plaintiff Denise Sznitko (“Plaintiff”) other than those for public injunctive relief. Grubhub seeks a stay of the public injunctive relief claim pending completion of the arbitration. Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, the Court finds that this matter is appropriate for decision without oral argument. The hearing calendared for November 28, 2022, is vacated, and the matter taken off calendar.

On both November 7, 2022, and November 14, 2022, the Court denied the parties’ Stipulations to stay the pending Motion to Compel Arbitration. Despite those two denials, the parties filed a third “Unopposed Motion for Reconsideration of the Court’s Order Denying Stipulation to Continue Hearing on Motion to Compel Arbitration” (Docket No. 27) on November 16, 2022. Despite the Court’s repeated denials of the parties’ efforts to delay resolution of the pending Motion to Compel Arbitration, Plaintiff has never filed an Opposition to the Motion to Compel Arbitration. That Opposition was due on November 7, 2022.

The Court grants the Motion to Compel Arbitration. See Local Civil Rule 7-12 (“The failure to file any required document, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion . . .”). The Court denies the “Unopposed Motion” as moot. The Court stays the public injunctive relief aspects of this action pending resolution of the arbitration proceedings. The Clerk is ordered to administratively close this case. The Court orders the parties to file a Joint Status Report within two weeks of the completion of arbitration or other disposition of Plaintiff’s claims. If the arbitration is not completed by March 1, 2023, the parties shall file a Joint Status Report beginning on that date and continuing every four months until the arbitration is completed. Failure to file a required Joint Status Report may, without further warning, result in dismissal of this action without prejudice. The Scheduling Conference, currently calendared for November 28, 2022, is vacated pending the Court’s receipt of a Joint Report indicating that the parties have completed the arbitration.

IT IS SO ORDERED.