

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

EXPERIAN INFORMATION SOLUTIONS, INC.,

Petitioner

v.

3:18-cv-297

BRIAN BERGER,

Respondent.

**THOMAS J. McAVOY,
Senior United States District Judge**

ORDER

Before the Court is Petitioner Experian Information Solutions, Inc.'s petition to confirm an arbitration award pursuant to 9 U.S.C. § 9. Respondent has not responded to or opposed the petition, and the time to do so has passed. "Normally, confirmation of an arbitration award is 'a summary proceeding that merely makes what is already a final arbitration award a judgment of the court[.]'" D. H. Blair & Co. v. Gottdiener, 462 F.3d 95, 110 (2d Cir. 2006) (quoting Florasynth, Inc. v. Pickholz, 750 F.2d 171, 176 (2d Cir. 1984)). A court is required to grant the award "unless the award is vacated, modified, or corrected." Id. (quoting 9 U.S.C. § 9). Arbitrators are not required to express their rationale for the decision, "and the award should be confirmed 'if a ground for the arbitrator's decision can be inferred from the facts of the case.'" Id. (quoting Barbier v Shearson Lehman Hutton, Inc., 948 F.2d 117, 121 (2d Cir. 1991)). Courts confirm awards as long as there exists "a barely colorable justification for the outcome reached[.]" Id. (quoting Landy Michaels Realty

Corp. v. Local 32B-32, Service Employees Int'l Union, 954 F.2d 794, 797 (2d Cir. 1992)).

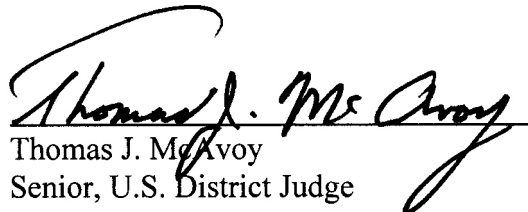
The Court has examined the arbitration award and arbitration agreement at issue in this case. The award has not been vacated, modified, or corrected. The documentation presented to the Court permits the Court to conclude that the arbitrator had sufficient ground to find that the arbitration should be concluded in Petitioner's favor, and will therefore confirm the arbitration award.

Accordingly, the Petitioner's petition to confirm the arbitration award, dkt. # 1, is hereby **GRANTED**. The arbitration award is hereby **CONFIRMED**.

The Clerk of Court is directed to **CLOSE** the case.

IT IS SO ORDERED.

Dated: June 26, 2018
Binghamton, NY


Thomas J. McAvoy
Senior, U.S. District Judge