

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 18-62114-Civ-COOKE/HUNT

ARDIANA BERISHA,

Plaintiff,

vs.

STAN, INC., a Florida corporation,
B&B ENTERTAINMENT, LLC,
a Florida corporation, and
ANDREW BEHN, individually,

Defendants.

**ORDER GRANTING DEFENDANTS'
MOTION TO COMPEL ARBITRATION AND STAY PROCEEDINGS**

THIS MATTER is before me on Defendants' Motion to Compel Arbitration and Stay Proceedings Pending the Resolution of This Case by an Arbitrator (ECF No. 11). On September 6, 2018, Plaintiff filed the instant action against Defendants Stan, Inc., B&B Entertainment, LLC, and Andrew Behn, alleging violations of the Fair Labor Standards Act ("FLSA") and seeking compensation for unpaid wages. *See generally Compl.*, ECF No. 1.

On or about December 7, 2017,¹ Plaintiff completed and signed a "Dance Performance Lease Agreement," stating in relevant part:

ANY CONTROVERSY, DISPUTE, OR CLAIM . . . ARISING OUT OF THIS LEASE . . . OR [THE] ENTERTAINER PERFORMING AT THE CLUB, WHETHER CONTRACTUAL, IN TORT, OR BASED UPON COMMON LAW OR STATUTE, SHALL BE EXCLUSIVELY DECIDED BY *BINDING ARBITRATION* HELD PURSUANT TO THE FEDERAL ARBITRATION ACT[.]

ECF No. 11-1, at p. 22 (emphasis in original).

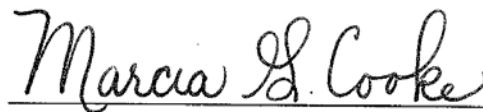
¹ Plaintiff dated the agreement "this 12 day of 7, 2017," but that appears to have been in error, as a related document was dated "12/6/17."

Defendants now move this Court to enforce the above agreement and compel the parties to binding arbitration. Plaintiff has stated that she does not oppose Defendants' motion. *Defs.' Notice of Non-Opp'n to Mot.*, ECF No. 12.

"FLSA claims can be arbitrated and . . . federal policy favors arbitration." *De Oliveira v. Citicorp N. Am., Inc.*, 2012 WL 1831230, at *1 (M.D. Fla. May 18, 2012); *see also, e.g., Caley v. Gulfstream Aerospace Corp.*, 428 F.3d 1359, 1364 (11th Cir. 2005) (affirming district court order compelling arbitration of claims under FLSA and other federal statutes).

Accordingly, it is **ORDERED and ADJUDGED** that Defendants' Motion to Compel Arbitration and Stay Proceedings Pending the Resolution of this Case by an Arbitrator (ECF No. 11) is **GRANTED**. The parties are **ORDERED** to binding arbitration in accordance with the terms set forth in the arbitration agreement. This case is **STAYED** pending the resolution of the arbitration. The Clerk shall *administratively* **CLOSE** this matter. All pending motions, if any, are **DENIED as moot**.

DONE and ORDERED in Chambers, in Miami, Florida, this 27th day of December 2018.



MARCIA G. COOKE
United States District Judge

Copies furnished to:
Patrick M. Hunt, U.S. Magistrate Judge
Counsel of record