

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

ALISON HELLER, on behalf of herself
and others similarly situated,

Plaintiff,

v.

Case No. 3:16-cv-1012-J-32JBT

CVS PHARMACY, INC., a Foreign
Profit Corporation and CVS 3249 FL,
LLC, a Limited Liability Company,

Defendants.

ORDER

On February 8, 2017, the Court stayed this case pending a decision by the Supreme Court in Lewis v. Epic Sys. Corp., 823 F.3d 1147 (7th Cir. 2016), cert. granted, (U.S. Jan. 13, 2017); Morris v. Ernst & Young, LLP, 834 F.3d 975 (9th Cir. 2016), cert. granted, (U.S. Jan. 13, 2017); and Murphy Oil USA, Inc. v. N.L.R.B., 808 F.3d 1013 (5th Cir. 2015), cert. granted, (U.S. Jan. 13, 2017). (Doc. 22). On May 21, 2018, the Supreme Court reached a decision in those consolidated cases, holding in pertinent part that class and collective action waivers contained in employment arbitration agreements are enforceable.

This case is before the Court on the Joint Notice of U.S. Supreme Court Decision in Lewis v. Epic Sys. Corp., in which Plaintiff Alison Heller and opt-in Plaintiffs state

that, in light of Lewis, they have agreed to individually arbitrate their claims against Defendants. (Doc. 23).

Accordingly, it is hereby

ORDERED:

1. Defendants' Motion to Dismiss and to Compel Individual Arbitration (Doc. 5) is **MOOT**.

2. The case is held in abeyance until the parties' arbitration is complete.

3. The Court retains jurisdiction to confirm, vacate, or otherwise act on an arbitration award.

4. The case shall remain administratively closed.

DONE AND ORDERED in Jacksonville, Florida the 15th day of June, 2018.



TIMOTHY J. CORRIGAN
United States District Judge

sj
Copies:

Counsel of record